

Sex Offender Notification (Megan's Laws) - By Jurisdiction

Executive Summary

SEX OFFENDER NOTIFICATION (MEGAN'S LAWS)

ANNUAL REPORT EXECUTIVE SUMMARY

July 2016

Overview

"Megan's Laws" date from 1996, when federal legislation directed state legislatures to adopt statutes that would (1) require convicted sex offenders to register with local law enforcement after release, and (2) provide some public access to information about those offenders. Accordingly, sex offender notification became an active legislative area. This trend continues to the present day: since 2000, every surveyed jurisdiction has amended, updated, or enacted provisions in the field. Since this survey was last updated in June 2015, 22 of the surveyed jurisdictions revised their laws related to sex offender notification.

During some years, many of these amendments were fairly minor. However, several revisions in the past decade have been extensive as several states made significant changes to conform to the federal Adam Walsh Child Protection and Safety Act of 2006 and added provisions related to sex offenders' on-line identification information and access to that information on the internet. As of July 2012, all states and territories had public registry websites, and links to those sites for each jurisdiction are included in the "Registry Location" section of this survey.

Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

In the great majority of jurisdictions, real estate licensees have no explicit responsibility to reveal sex offender proximity. Some states, including Arizona, Michigan, and Texas, provide that licensees face no liability for failure to disclose information about sex offenders. Others require that real estate disclosure forms or other documents include a statement regarding the local Megan's Law, but this requirement does not necessarily impose a duty on licensees. Since June 2015, only two states revised their statutes regarding real estate licensees' obligations, and all of those changes were either minor or not relevant to this survey.

Sex Offender Categories

The majority of jurisdictions mandate some type of categorization of sex offenders based on the risk or danger posed to the public by their presence. Eleven of the surveyed jurisdictions revised their laws involving sex offender categories during the past year. The most significant changes were as follows:

- Maine revised its definition of a Tier II offense; and
- New Hampshire amended the duration of registration requirements for certain sex offenders who were convicted before the sex offender registry was established.

Government's Disclosure Format

Disclosure formats vary considerably. As originally surveyed, 29 percent of the surveyed jurisdictions did not specify the type of disclosure that must be provided, while over 21 percent provided for any "reasonable" or "necessary" means. Over 40 percent allowed internet or electronic notification or publication, while about 12 percent required written notice. The remaining jurisdictions mandated disclosures that include telephone systems, publication, and posting. However, many jurisdictions have recently revised their disclosure formats. For example, between the July 2013 and June 2015, 50 percent of the surveyed jurisdictions revised their laws concerning disclosure formats. During the past year, 16 jurisdictions revised those laws. The most significant changes since the last update were as follows:

- Alabama added notification requirements that apply to homeless sex offenders;
- Louisiana added passive notice requirements regarding offenders' phone numbers and online identities, effective August 1, 2016;
- Massachusetts revised its active and passive notification requirements;
- Oregon revised and renumbered its statutes related to its sex offender registry;
- Virginia amended its list of entities that may receive active notification upon request; and
- Wyoming added active notification for certain juvenile offenders, based on the risk of reoffense.

Sex Offender Registry Location and Access

Every jurisdiction requires maintenance of a sex offender register by a governmental entity. Access to those registers varies across the surveyed jurisdictions. After recent amendments, every jurisdiction allows public access to sex offender registries. (Alabama, the last state not to allow public access, added provisions in 2011 that permitted public access to its sex offender registry.) All jurisdictions also provide for free access via the internet. Since June 2015, 14 jurisdictions revised their registry location laws, and 12 jurisdictions revised their registry access laws. The most significant recent change was in Massachusetts, which changed the information contained in its Sex Offender Registry.

Notification Triggers

Many states require authorities to make some sort of notification under specific circumstances. Common triggers include geographic distance from the offender, the offender's risk level, and the type of residents or businesses. Nineteen percent of the surveyed jurisdictions possess no notification trigger mechanism because no active notification is mandated elsewhere in the law. The remaining jurisdictions allow notification at the discretion of the local police or a local authority, or require notification upon specific request. During the past year, 10 jurisdictions revised their relevant provisions. Most significantly,

- Massachusetts amended its active notification requirements; and
- Virginia added common interest community associations to the list of entities that may receive active notification upon request.

Alabama

Alabama, Government's Disclosure Format

ACTIVE

Immediately upon the release of an adult sex offender or immediately upon notice of where the adult sex offender plans to establish or has established a residence:

- in Birmingham, Mobile, Huntsville and Montgomery, the police chief must notify certain members of the public, schools and childcare facilities;
- in other Alabama cities with a population of 5,000 or more, the police chief or the county sheriff must notify certain members of the public, schools and childcare facilities; and
- in other municipalities with a population of less than 5,000, and in all unincorporated areas, the county sheriff must notify certain members of the public, schools and childcare facilities.

The notification must be distributed by regular mail or hand-delivered to the legal residences required by statute. Any other method “reasonably expected to provide notification” may also be used, including:

- posting a copy of the notice in a prominent place at the sheriff's office and at the police station closest to the offender's residence;
- publicizing the notice in a local newspaper; or
- posting electronically, including on the Internet.

Effective September 1, 2015, when an adult sex offender declares that he or she is homeless, notification must be provided by:

- posting a copy of the notice in a prominent place at the sheriff's office and at the police station closest to the sex offender's declared residence;
- publicizing the notice in a local newspaper; or
- posting the notice electronically.

PASSIVE

The statutory provisions that previously provided that the sheriff of each county must maintain a register of the names of all persons registered, but that the register was open to inspection only by law enforcement officers, has been repealed.

The Department of Public Safety must maintain a public registry website that contains specified information, which may also be provided on any community notification documents. This information includes, among other things:

- name and address;
- address of any school the sex offender attends or will attend;
- address of any employer where the sex offender works or will work;
- the license plate number and description of any vehicle used for work or personal use;
- a current photograph and physical description; and
- the criminal history of and other information regarding any sex offense for which the offender has been adjudicated or convicted.

The Alabama State Law Enforcement Agency must immediately post all information on the public registry website. The website must include:

- field search capabilities to search for sex offenders by name, city, county, town, zip code, or geographic radius;
- links to sex offender safety and education resources;
- instructions on how to seek correction of information that a person contends is erroneous; and
- a warning that "information on the site should not be used to unlawfully injure, harass, or commit a crime against any person named in the registry or residing or

working at any reported address and that any such action may result in civil or criminal penalties."

Statutory sections amended 2015.

[Ala. Code §§ 15-20A-8, -21 \(2015\)](#)

Alabama, Notification Triggers

Active notification is provided to the following:

- in Birmingham, Mobile, Huntsville, and Montgomery, the police chief must notify all persons with a legal residence within 1,000 feet of an adult criminal sex offender's residence and all schools and childcare facilities within three miles of the offender's residence;
- in all other Alabama cities with a population of 5,000 or more, the police chief or the county sheriff must notify all persons who have a residence within 1,500 feet of the adult criminal sex offender's residence and all schools and childcare facilities within three miles of the offender's residence; and
- in all municipalities with a population of less than 5,000 and in all unincorporated areas, the sheriff of the county in which the adult criminal sex offender intends to reside must notify all persons with a legal residence within 2,000 feet of the offender's residence and all schools and childcare facilities within three miles of the offender's residence.

The secretary of the Alabama State Law Enforcement Agency, a sheriff, or a police chief may also provide community notification by regular mail, electronically, by publication, or periodically to persons with a legal residence further from the offender's residence than the distances set forth above.

Statutory section amended 2015.

[Ala. Code § 15-20A-21 \(2015\)](#)

Alabama, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Alabama, Registry Access

The statutory sections that previously provided that the register was open to inspection only by law enforcement officers have been repealed.

The Alabama State Law Enforcement Agency must maintain a public registry website that contains specified information, which may also be provided on any community notification documents. The website must include:

- field search capabilities to search for sex offenders by name, city, county, town, zip code, or geographic radius;
- links to sex offender safety and education resources;
- instructions on how to seek correction of information that a person contends is erroneous; and
- a warning that "information on the site should not be used to unlawfully injure, harass, or commit a crime against any person named in the registry or residing or working at any reported address and that any such action may result in civil or criminal penalties."

Statutory section amended 2015.

[Ala. Code § 15-20A-8 \(2015\)](#)

Alabama, Sex Offender Categories

Alabama identifies sexually violent predators, who are subject to electronic monitoring for at least 10 years from his or her release date. The state also monitors for at least 10 years

persons convicted of a Class A felony sex offense involving a child. Juvenile sex offender risk levels are determined according to the offender's likelihood of re-offense, and the required notification levels are related to the juvenile's risk level.

Statutory section 15-20A-19 enacted 2011; §§ 15-20A-20, 15-20A-26, and 15-20A-27 amended 2015.

[Ala. Code §§ 15-20A-19, -20, -26, -27 \(2015\)](#)

Alabama, Sex Offender Registry Location

The Alabama State Law Enforcement Agency must maintain a public registry website that contains specified information. The registry is available to the public at <http://app.alea.gov/Community/wfSexOffenderSearch.aspx>.

Statutory section amended 2015.

[Ala. Code § 15-20A-8 \(2015\)](#)

Alaska

Alaska, Government's Disclosure Format

ACTIVE

No active disclosure provisions were located.

PASSIVE

The Department of Public Safety must provide information in the central registry that is subject to public disclosure under § 18.65.087 to any person, without charge, by posting or otherwise making it available for public viewing in printed or electronic form. The department charges a fee for each request to provide a printed copy of registry information about one registrant specified by name or a printed copy of the list of all registrants in a geographic area.

The Department of Public Safety must also provide on the Internet information regarding how the public may use the website to access or compile information relating to sex offenders for a particular geographic area.

The department may provide a method for, or participate in a federal program that allows, the public to submit an "electronic or messaging address or Internet identifier" and receive a confirmation of whether it has been registered by a registered sex offender.

Statutory section amended 2010. Regulation amended 1999.

[Alaska Admin. Code tit. 13, § 09.050 \(2015\); Alaska Stat. § 18.65.087 \(2015\)](#)

Alaska, Notification Triggers

No notification triggers exist because Alaska law does not require active notification to the general public.

Alaska, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations that specifically address whether a licensee must disclose the proximity of a sex offender. However, Alaska statutes clearly provide that the real estate disclosure form must state:

- that the buyer is responsible for determining whether a sex offender resides in the vicinity of the subject property; and
- where information about the location of convicted sex offenders can be obtained.

Statutory section amended 2001.

[Alaska Stat. § 34.70.050 \(2015\)](#)

Alaska, Registry Access

The Department of Public Safety provides information in the central registry that is subject to public disclosure to any person, without charge, by posting or otherwise making it available for public viewing in printed or electronic form. The department will charge a fee of \$10 for each request to provide a printed copy of the information about one offender, or a printed copy of the list of all registrants in a geographical area.

The Department of Public Safety must also provide on the Internet information regarding how the public may use the website to access or compile information relating to sex offenders for a particular geographic area. The information may direct the user to mapping programs available on the Internet and to Internet websites on which the information has already been converted to a map.

Statutory section 18.65.087 amended 2010. Regulation amended 1999.

[Alaska Stat. § 18.65.087 \(2015\); Alaska Admin. Code tit. 13, § 09.050 \(2015\)](#)

Alaska, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders are categorized according to the dangers they pose.

Alaska, Sex Offender Registry Location

The Department of Public Safety maintains a central registry of sex offenders and child kidnappers. The state's public registry website is available at <http://www.dps.alaska.gov/sorweb/sorweb.aspx>.

Statutory section amended 2010.

[Alaska Stat. § 18.65.087 \(2015\)](#)

Arizona

Arizona, Government's Disclosure Format

ACTIVE

Arizona community notification laws provide different disclosure formats depending on the risk level that a particular sex offender poses to the community, as follows:

- for level two and three offenders, notification must include a flyer with the offender's photograph and exact address and a summary of the offender's status and criminal background; a press release and a flyer is also given to the local electronic and print media so that information may be placed in a local publication; and
- for level one offenders, the local law enforcement agency maintains information about the offender, and may disseminate the information to other law enforcement agencies and the people with whom the offender resides.

PASSIVE

The Arizona department of public safety maintains a sex offender website for level two and level three offenders and offenders who were convicted guilty for certain offenses in another jurisdiction. The purpose of the sex offender website is to provide information to the public.

Statutory sections amended 2016.

[Ariz. Rev. Stat. §§ 13-3825](#) (as amended by [2016 Ariz. Sess. Laws ch. 154](#)), [-3827 \(2015\)](#) (as amended by [2016 Ariz. Sess. Laws chs. 22](#) and [154](#))

Arizona, Notification Triggers

Local law enforcement agencies must notify the community of an offender's presence. The notification must include the following:

- for level two and three offenders, the notification must be made to the “surrounding neighborhood, area schools, appropriate community groups and prospective employers”; and
- for level one offenders, the local law enforcement agency may disseminate the information to other law enforcement agencies and the people with whom the offender resides.

The court may “continue, defer or terminate community notification after a hearing held pursuant to section 13-923.”

Statutory section amended 2016.

[Ariz. Rev. Stat. § 13-3825 \(2015\)](#) (as amended by [2016 Ariz. Sess. Laws 154](#))

Arizona, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Real estate licensees are exempt from sexual offender disclosure requirements. No action may be brought against a licensee for failing to disclose that property being transferred or leased is or has been located in the vicinity of a sex offender.

Statutory section amended 1999.

[Ariz. Rev. Stat. § 32-2156 \(2015\)](#)

Arizona, Registry Access

The state sex offender website is available to the public. However, a registered sex offender's online identifier is not publicly connected to the offender's name, address, and photograph on the website.

Statutory section amended 2016.

[Ariz. Rev. Stat. § 13-3827 \(2015\)](#) (as amended by [2016 Ariz. Sess. Laws chs. 22](#) and [154](#))

Arizona, Sex Offender Categories

The local law enforcement agency categorizes each offender and places him into a notification level one, two, or three.

Statutory section amended 2016.

[Ariz. Rev. Stat. § 13-3825\(D\) \(2015\)](#) (as amended by [2016 Ariz. Sess. Laws 154](#))

Arizona, Sex Offender Registry Location

The department of public safety maintains the sex offender website. The state's public registry website is available at http://www.azdps.gov/Services/Sex_Offender/.

Statutory section amended 2016.

[Ariz. Rev. Stat. Ann. § 13-3827 \(2015\)](#) (as amended by [2016 Ariz. Sess. Laws chs. 22](#) and [154](#))

Arkansas

Arkansas, Government's Disclosure Format

ACTIVE

Local law enforcement agencies must disclose, according to Sex Offender Assessment Committee guidelines, relevant and necessary information regarding sex offenders to the public if the disclosure is necessary for public protection. The guidelines identify and address:

- factors relevant to an offender's future dangerousness and likelihood of re-offense or threat to the community;
- the information to be disclosed; and
- the community members to whom disclosure is made.

Also, the state Board of Education and Board of Workforce Education has prepared guidelines for the disclosure to students and parents of information regarding a sex offender that the local law enforcement agency releases to a school district or vocational training institution. The boards of local schools or vocational training institutions must adopt a written policy, in accordance with the state board's guidelines, regarding distributing sex offender information to students and parents. Similarly, the boards of higher education institutions must adopt a written policy regarding the distribution to students of sex offender information.

Law enforcement officers may notify members of the public exposed to danger of any persons that pose a danger for reasons not enumerated by statute. Also, if the offender has committed previous sexual offenses or has multiple offenses or victims, or if other situations indicate higher potential for recidivism, the community notification level may "go beyond the recidivism risk suggested by the actuarial instruments."

PASSIVE

The Arkansas Crime Information Center must place the information that may be disclosed pursuant to subsections 12-12-913(j)(1)(A) (concerning level 3 or level 4 offenders) and (B) (concerning adult level 2 sex offenders whose victims were 14 years or younger) on Arkansas' home page.

Registration records are open to:

- any state or federal criminal justice agency;
- government agencies authorized by law to conduct confidential background checks; and

- the Division of Medical Services of the Department of Human Services for Medicaid provider applicants.

Statutory section amended 2013. Sex Offender Assessment Committee Guidelines and Procedures amended 2014.

Ark. Code § 12-12-913 (LexisNexis 2016); [*Sex Offender Assessment Committee Guidelines and Procedures, Community Notification Assessment Process, at 18 \(004.00.007 Ark. Reg. R. 001 \(2014\)\)*](#)

Arkansas, Notification Triggers

GENERAL COMMUNITY NOTIFICATION

Generally, local law enforcement agencies must disclose, pursuant to Sex Offender Assessment Committee guidelines, relevant and necessary information regarding offenders to the public, if disclosure of the information is necessary for public protection. The committee promulgates guidelines and procedures for the disclosure. The guidelines and procedures address the extent of the information to be disclosed and the community members to whom disclosure is made, considering:

- the offender's danger level;
- the offender's behavior patterns; and
- the need of community members to have information for their individual and collective safety.

Law enforcement officers may also notify members of the public exposed to danger of any persons that pose a danger for reasons not enumerated by statute.

Arkansas regulations more specifically provide that for level 1 offenders, the following must be notified:

- the law enforcement agency with jurisdiction;
- other law enforcement agencies likely to encounter the offender;
- all adult members of the household in which the offender is residing or intends to reside (except for supervised living arrangements, in which case only the residence supervisor or foster parent should be notified); and
- the victims or the victims' guardians.

For level 2 offenders, the following parties must be notified:

- all parties who must be notified of level 1 offenders;
- the "heads of agencies and organizations that serve individuals in the offender's target group," including, among others, schools, day care centers, community and youth groups, religious organizations, libraries, park security, and businesses frequented by children;
- employers;
- state licensing boards, if the local law enforcement deems notification appropriate; and
- individuals or family heads with "members within the offender's target group who are likely to encounter the offender, or live in the same neighborhood as the offender."

For level 3 offenders, the following parties must be notified, with notification conducted face-to-face between law enforcement and citizens if possible:

- all parties who must be notified of level 1 or level 2 offenders, unless the notification would harm the victim;
- any member of the community “whom the offender is likely to encounter, based on the offender's prior history, recreational or religious interests, employment, or the characteristics of the offender's victims”; and
- persons likely to encounter the offender, including all neighbors, must be given an Offender Fact Sheet.

For level 4 offenders (sexually dangerous persons), the following must be notified:

- all parties who must be notified of level 1, level 2, or level 3 offenders;
- members of the general public “in the vicinity of where the offender lives, travels and works,” preferably in a face-to-face meeting, although open community meetings or meetings with neighborhood watch groups are acceptable; and
- any individual “having good reason” may obtain an Offender Fact Sheet from the Chief Law Enforcement Officer.

The media may be used to conduct level 4 notifications if the Chief Law Enforcement Officer deems it necessary to protect the community. Also, printed material, posters, and electronic media may be used “in the most necessary and potentially dangerous situations.”

The Offender Fact Sheets of all Sexually Dangerous Persons are available to the public on the ACIC website.

A local law enforcement agency with jurisdiction where an out-of-state sex offender is moving or has moved may make immediate disclosure of the offender's registration in another state before completing a sex offender assessment assigning a community notification level. Also, a local law enforcement agency with jurisdiction where an out-of-state person who has been convicted of an offense that would require registration in Arkansas is moving or has moved may "make immediate notification appropriate for public safety" before completing a sex offender assessment assigning a community notification level.

EDUCATION GUIDELINES

The state Board of Education and Board of Workforce Education has prepared guidelines for the disclosure of information regarding a sex offender that the local law enforcement agency releases to a school district or vocational training institution. The boards of local schools or vocational training institutions must adopt a written policy, in accordance with the state board's guidelines, regarding distributing sex offender information to students and parents. Similarly, the boards of higher education institutions must adopt a written policy regarding the distribution to students of sex offender information.

Department of Workforce Education guidelines generally require notification based on offense level.

For level I offenders, no notification of students or parents is permitted.

For level II offenders, if schools are notified, the information is "intended to assist staff members in the protection of their charges, not to provide notification to the community at large."

For level III or level IV offenders, if the school is located "in an area where a vulnerable population is likely to encounter the offender, then area law enforcement notification may include the students in the school and, within law enforcement's discretion, notice will be given to the parents or guardians of those students. The determination as to the appropriate method to use in the dissemination of the notice must be reached through cooperation with area law enforcement."

For level IV offenders, law enforcement may ask schools to assist in notifying students and parents in the vicinity of the area in which the offender lives, travels, and works. The principal or program

director of each school determines which employees within the school should be informed of the notification. The principal or program director should share the notice with any person who is "regularly in a position to observe unauthorized persons on or near the property of the notified school."

Arkansas regulations provide a more specific list of other employees or volunteers who a principal or program director may or may not determine need to be notified.

Statutory section 12-12-913 amended 2013; § 12-12-924 enacted 2011. Workforce Education Guidelines adopted 2007. Sex Offender Assessment Committee Guidelines and Procedures amended 2014.

Ark. Code §§ 12-12-913, -924 (LexisNexis 2016); [Ark. Dep't of Workforce Education Guidelines for Ark. Code Ann. §SEQ, "Megan's Law," Introduction \(172.00.07 Ark. Reg. R. 007 \(2007\)\)](#); [Sex Offender Assessment Committee Guidelines and Procedures, Community Notification Assessment Process, at 24-25 \(004.00.007 Ark. Reg. R. 001 \(2014\)\)](#)

Arkansas, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Arkansas, Registry Access

Registered sex offenders that have been assessed at level three or level four and certain offenders assessed at level two are posted on the Internet. The information on the Internet is available to the public.

Complete registration records are open only to any state or federal criminal justice agencies or to any government agency authorized by law to conduct confidential background checks.

Statutory section amended 2013.

Ark. Code § 12-12-913 (LexisNexis 2016)

Arkansas, Sex Offender Categories

After completing the assessment process, the Arkansas Sex Offender Assessment committee will assign each offender a community notification level as follows, based on the public risk the offender poses:

- level 1, typically for offenders who have no prior history of sexual offending, and the community can be protected with "notification inside the home" and to local law enforcement;
- level 2, typically for offenders who have a history of sexual offending and "notification inside the home" is insufficient;
- level 3, typically for offenders who have "a history of repeat sexual offending, and/or strong antisocial, violent or predatory personality characteristics"; and
- level 4, for sexually violent predators, who have been "adjudicated guilty of a sex offense or acquitted on the grounds of mental disease or defect of a sex offense and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory sex offenses."

Sex Offender Assessment Committee Guidelines and Procedures amended 2014.

[Sex Offender Assessment Committee Guidelines and Procedures, Community Notification Assessment Process, at 24-25 \(004.00.007 Ark. Reg. R. 001 \(2014\)\)](#)

Arkansas, Sex Offender Registry Location

The Arkansas Crime Information Center maintains the central sex offender registry. The state's public registry website is located at <http://www.acic.org/sex-offender-information>.

Statutory section amended 2015.

California

California, Government's Disclosure Format

ACTIVE

Any designated law enforcement entity may provide information to the public about a person required to register as a sex offender "by whatever means the entity deems appropriate, when necessary to ensure the public safety based upon information available to the entity concerning that specific person." The law enforcement entity must include with the disclosure a statement that the purpose of the release is to allow members of the public to protect themselves and their children from sex offenders. The information that the entity may provide must exclude information that would identify the victim, but may include the following:

- the offender's name, known aliases, gender, race, physical description, photograph, birth date, and verified address;
- the offender's vehicle's description and license plate number;
- the type of victim targeted by the offender;
- relevant parole or probation conditions;
- the offender's sex crimes; and
- the offender's release date.

The designated law enforcement entity may authorize persons and entities that receive this information to disclose it to additional persons only if the entity:

- determines that disclosure to the additional persons will "enhance the public safety"; and
- identifies the appropriate scope of any further disclosure.

A law enforcement entity may not authorize disclosure of this information by its placement on an Internet Web site.

In this context, "designated law enforcement entity" means:

- the Department of Justice;
- every district attorney;
- the Department of Corrections;
- the Department of the Youth Authority; and
- "every state or local agency expressly authorized by statute to investigate or prosecute law violators."

The department must record each address at which a registered sex offender resides with a unique identifier that includes the dwelling's nature. The department must maintain those classifications in the sex offender registration database and provide that information to other state agencies when those agencies need the information for certain law enforcement purposes.

PASSIVE

The Department of Justice must operate a service by which members of the public may provide a list of at least six persons on a form to inquire whether any of the listed persons is required to register as a sex offender and is subject to public notification. The Department of Justice must respond with information on any person as to whom information may be available to the public on the Internet site. The Department of Justice may establish a fee for requests. A person may use information so disclosed only to protect a person at risk.

The Department of Justice generally must make available to the public on an Internet website the following information regarding specified offenders:

- the conviction year of his or her most recent offense;
- the year he or she was released from incarceration; and
- whether he or she was subsequently incarcerated for any other felony.

Also, the Department of Justice must make available to the public on the Internet information concerning persons who are required to register. The Department must update the Internet website on an ongoing basis. All information identifying the victim, the name or address of the person's employer, and the listed person's criminal history (other than the specific crimes for which the person is required to register) must be excluded. The information to be listed varies depending on the offender's offense, but generally includes the following:

- name and known aliases;
- a photograph;

- a physical description, including gender and race;
- birth date;
- criminal history;
- any prior adjudication as a sexually violent predator;
- community and zip code in which the offender resides; and
- any other information the Department of Justice deems relevant.

The department must make available to the public on its website the offender's "static SARATSO score."

The Department of Justice must determine whether any offender has one or more additional convictions of a sexual offense, and for those persons, the Department must include the address at which the person resides, provided certain other conditions are met. Also, a law enforcement entity may make available on the site certain other information if it determines that public disclosure of the information is necessary to ensure the public safety.

The Department must translate the Internet Web site "into languages other than English as determined by the department."

Convictions for certain child pornography offenses are added to the list of specified sexual offenses requiring the broadest disclosure. However, these additional convictions are exempt from Internet disclosure if the person submits a certified copy of a filed probation

report that clearly states that all victims were at least 16 years of age at the time the offense was committed.

Statutory sections 290.021 and 290.022 enacted 2007; § 290.47 enacted 2009; §§ 290.4 and 290.45 amended 2012; § 290.46 amended 2016.

[Cal. Penal Code §§ 290.021, .022, .4, .45, .46](#) (as amended by [2016 Cal. Stat. ch. 59](#)), [.47 \(2015\)](#)

California, Notification Triggers

A designated law enforcement entity may provide information to the public about a person required to register as a sex offender "by whatever means the entity deems appropriate, when necessary to ensure the public safety based upon information available to the entity concerning that specific person." The designated law enforcement entity may authorize persons and entities who receive this information to disclose information to additional persons only if the entity:

- determines that disclosure to the additional persons will "enhance the public safety"; and
- identifies the appropriate scope of any further disclosure.

Statutory section amended 2011.

[Cal. Penal Code § 290.45 \(2015\)](#)

California, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Every lease or rental agreement entered into on or after April 1, 2006, and every sale contract for residential real property with one to four dwelling units entered into on or after April 1, 2006, must contain the following notice:

Notice: Pursuant to Section 290.46 of the Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web site maintained by the Department of Justice at www.meganslaw.ca.gov. Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and ZIP Code in which he or she resides.

Generally, neither the transferor nor his broker is required to provide information other than the above notice regarding the proximity of registered sex offenders. However, the above notice requirement does not “alter any existing duty of the lessor, seller, or broker under any other statute or decisional law including, but not limited to, the duties of a lessor, seller, or broker under this article, or the duties a seller or broker under Article 1.5 (commencing with Section 1102) of Chapter 2 of Title 4 of Part 4 of Division 2.”

Statutory section amended 2005.

[Cal. Civ. Code § 2079.10a \(2015\)](#)

California, Registry Access

Generally, except as otherwise provided by law, an offender's statements, photographs, and fingerprints are not open to inspection by the public or any person other than a regularly employed peace or law enforcement officer. However, the Department of Justice must make other specified information concerning certain registrants available to the public on the Internet. Also, the Department of Justice must renovate its Violent Crime Information Network to incorporate "a flexible design structure to readily meet future demands for enhanced system functionality, including public Internet access to sex offender information," among other things.

The department must make available to the public on its website the offender's "static SARATSO score."

The Department of Justice must also operate a service by which members of the public may provide a list of at least six persons on a form to inquire whether any of the listed persons is required to register as a sex offender and is subject to public notification. The Department of Justice must respond with information on any person as to whom information may be available to the public on the Internet site. The Department of Justice

may establish a fee for requests. A person may use information so disclosed only to protect a person at risk.

Statutory sections 290.021 and 290.022 enacted 2007; § 290.4 amended 2011; § 290 amended 2012; § 290.46 amended 2016.

[Cal. Penal Code §§ 290; 290.021, .022, .4, .46 \(2015\)](#) (as amended by [2016 Cal. Stat. ch. 59](#))

California, Sex Offender Categories

California has adopted the use of a State-Authorized Risk Assessment Tool for Sex Offenders ("SARATSO") to categorize sex offenders. Every person required to register as a sex offender must be assessed using the SARATSO as follows:

- beginning January 1, 2007, the SARATSO for adult males required to register as sex offenders is the "STATIC-99 risk assessment scale," which is the SARATSO static tool for adult males; and
- on or before July 1, 2007, the SARATSO Review Committee was required to research risk assessment tools for adult females and juveniles required to register as sex offenders, and if the committee unanimously agreed on appropriate risk assessment tools, they became the SARATSO for adult females or juveniles, as applicable, 60 days after the decision is posted on the Department of State Hospital's website.

The SARATSO Review Committee must select an empirically derived instrument that measures dynamic risk factors and one that measures risk of future violence. These instruments will be the "SARATSO dynamic tool for adult males" and the "SARATSO future violence tool for adult males."

The SARATSO has a phased-in application, as follows:

- the Department of Corrections and Rehabilitation must assess every eligible person who is incarcerated in state prison at least four months, but no sooner than 10 months, before release, if possible;
- the Department must assess every eligible person who is on parole at least four months, but no sooner than 10 months, before the parole terminates, if possible;
- the Department of State Hospitals must assess every eligible person who is committed to that department at least four months, but no sooner than 10 months, before release from commitment;
- each probation department must, before sentencing, assess every person who would be referred for assessment pursuant to § 1203(d), whether or not a § 1203 report is prepared and every other eligible person under its supervision before the termination of probation, but no later than January 1, 2010; and
- the SARATSO Review Committee, upon request of a local law enforcement agency, may assess eligible persons not assessed above.

The department must also assess every person on parole transferred from any other state or by the federal government to California "who has been, or is hereafter convicted in any other court, including any state, federal, or military court, of any offense that, if committed or attempted" in California, would have been punishable as one of the offenses described in § 290(c).

Statutory section 290.45 amended 2011; § 290.04 amended 2012; § 290.06 amended 2016.

[Cal. Penal Code §§ 290.04, 290.06](#) (as amended by [2016 Cal. Stat. ch. 59](#)), [290.45 \(2015\)](#)

[California, Sex Offender Registry Location](#)

The Department of Justice maintains a list of sex offenders. The state's public registry website is available at <http://www.meganslaw.ca.gov/>.

Statutory section 290.4 amended 2011; § 290.46 amended 2016.

See [Cal. Penal Code §§ 290.4\(a\)\(1\), .46 \(2015\)](#) (as amended by [2016 Cal. Stat. ch. 59](#))

Colorado

Colorado, Government's Disclosure Format

ACTIVE

No active disclosure provisions were located for sex offenders. However, a sexually violent predator is "subject to community notification." A "sexually violent predator" includes a person found to be a sexually violent predator in another state or jurisdiction who:

- has been assessed or labeled at that jurisdiction's highest registration and notification levels; and
- satisfies Colorado's age, offense date, and conviction requirements for a sexually violent predator.

PASSIVE

Post-secondary education institutions

The Colorado Bureau of Investigation's interactive database within the sex offender registry must provide the following registrant information to all criminal justice agencies in which an institution of post-secondary education is located:

- the identification of all registrants who volunteer or are employed or enrolled at a post-secondary institution and name of the institution; and
- the identification of all sexually violent predators who volunteer or are employed or enrolled at a post-secondary institution at which each such person volunteers, is employed, or is enrolled.

Criminal history checks

Pursuant to a request for a criminal history check pursuant to § 24-72-3, the bureau may inform the requesting party whether the subject person is on the registry.

General public

A member of the general public may request from the bureau a list of persons on the sex offender registry.

A local law enforcement agency must release information regarding any registered person to a person residing within the agency's jurisdiction. At its discretion, a local law enforcement agency may release information regarding a sex offender registered with the agency to any person who does not reside within the agency's jurisdiction. In addition, the local law enforcement agency may post on the law enforcement agency's website information on those offenders listed in subsection 16-22-112(2)(b). A law enforcement agency that posts sex offender information on its website must also post on its website either educational information concerning protection from sex offenders or a link to the educational information included on the CBI website.

Statutory sections 16-22-110 and 16-22-111 amended 2005; § 16-22-112 amended 2007; § 16-13-903 amended 2011.

Colo. Rev. Stat. Ann. §§ 16-22-110, -111, -112; -13-903 (LexisNexis 2016)

[Colorado, Notification Triggers](#)

No notification triggers exist because no active notification is required for sex offenders. (See "Government's Disclosure Format" for active notification regarding sexually violent predators.)

Colorado, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Colorado, Registry Access

A person may request from the Colorado Bureau of Investigation a list of persons on the sex offender registry. The person requesting the information must show proper identification. The released information must include the registrant's name, address, aliases, birthdate, photograph (if requested and readily available), and conviction. The bureau may assess "reasonable fees" for the information.

The bureau *must* post information concerning sexually violent predators and other repeat offenders on the Internet and *may* post on its web site information concerning those sex offenders required to register pursuant to § 16-22-103 as a result of a felony conviction. A local law enforcement agency may post on its website sex offender registration information for those persons listed in § 16-22-112(b).

Statutory sections amended 2005.

Colo. Rev. Stat. Ann. §§ 16-22-110, -111 (LexisNexis 2016)

Colorado, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders are categorized into groups according to the dangers they pose. However, the sex offender registry provides, among other things, a description of the offense for which the offender was convicted and an indication of which registrants are sexually violent predators.

Statutory section amended 2005.

See Colo. Rev. Stat. Ann. § 16-22-110 (LexisNexis 2016)

Colorado, Sex Offender Registry Location

The Colorado Bureau of Investigation maintains the sex offender registry. The state's public registry website is available at <https://www.colorado.gov/apps/cdps/sor/>.

Statutory section 16-22-110 amended 2005; § 16-22-102 amended 2014.

Colo. Rev. Stat. Ann. §§ 16-22-102, -110 (LexisNexis 2016)

Connecticut

Connecticut, Government's Disclosure Format

ACTIVE

For certain persons convicted or found not guilty by reason of mental disease or defect, the court may order the Department of Emergency Services and Public Protection to restrict the dissemination of the registration information only to law enforcement agencies, provided the court finds that dissemination of the information is not required for public safety and that publication of the information would likely reveal the victim's identity. The court must remove the restriction if public safety requires that the person's registration information must be made public or that changed circumstances makes publication no longer likely to reveal the victim's identity. Certain registrants may petition the court to order the Department of Emergency Services and Public Protection to restrict the dissemination of the registration information to law enforcement purposes only and to not make such information available for public access, in which case the court may order the Department to restrict the dissemination of the information only if it finds that dissemination is not required for public safety.

Upon receipt of registration information, the department must notify:

- the local police department or state police troop with jurisdiction over the area in which the registrant resides;
- the law enforcement agency with jurisdiction over any Connecticut institution of higher learning at which the registrant is employed, carries on a vocation or is a student;
- the state police of any other state in which the registrant intends to reside; and
- the F.B.I.

Any state agency, the Judicial Department, any state police troop or any local police department may notify the following if it believes that notification is necessary to protect the public or any individual from a registrant:

- a government agency;
- a private organization; or
- an individual.

If a registrant is released into the community or changes his or her address and notifies the Department of Emergency Services and Public Protection of the change, the department must notify by email:

- the superintendent of schools for the school district in which the registrant resides or plans to reside, providing the superintendent with the same registry information that the department makes available to the public through the Internet; and

- effective July 1, 2014, the chief executive officer of the municipality in which the registrant resides, or plans to reside, providing the chief executive officer with the same registry information that the department makes available to the public through the Internet.

PASSIVE

The registry maintained by the Department of Emergency Services and Public Protection generally is a public record accessible to the public during normal business hours and available to the public on the Internet.

Each local police department and state police troop must also make all registration information transmitted to it by the Department of Emergency Services and Public Protection accessible to the public during normal business hours.

Statutory section 54-255 amended 2011; § 54-258 amended 2015.

[Conn. Gen. Stat. Ann. §§ 54-255, -258 \(2015 and Supp. 2016\)](#)

Connecticut, Notification Triggers

No specific notification triggers exist. However, a state agency, the Judicial Department, a state police troop or a local police department may notify an individual or a private organization if it believes that notification is necessary to protect the public or any individual from a registrant. Connecticut statutes do not further describe when such notification is necessary.

Statutory section amended 2015.

[Conn. Gen. Stat. Ann. § 54-258 \(Supp. 2016\)](#)

Connecticut, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

[Connecticut, Registry Access](#)

Unless the information is restricted, the public may access registry information at law enforcement agencies for the sex offender's residence municipality, and on the statewide sex offender registry accessible on the Internet. A registrant's electronic mail address, instant message address or other similar Internet communication identifier is not a public record, but the Department of Emergency Services and Public Protection may release it to law enforcement or for security purposes.

Statutory section amended 2015.

[Conn. Gen. Stat. Ann. § 54-258 \(Supp. 2016\)](#)

[Connecticut, Sex Offender Categories](#)

No specifically applicable provisions were located. However, the Connecticut Sentencing Commission is studying "the effectiveness of a tiered classification system based on the risk of reoffense" and other issues related to the state's sexual offender registration system.

The dissemination of information regarding certain people convicted or found not guilty by reason of mental disease may be restricted to law enforcement agencies, and not the general public, provided the court finds that:

- dissemination of the registration information is not required for public safety; and
- publication of the registration information would likely reveal the victim's identity.

Statutory section 54-255 amended 2011.

[Conn. Gen. Stat. § 54-255 \(2015\)](#); see [2015 Conn. Acts ch. 15-2 \(Spec. Sess.\)](#)

Connecticut, Sex Offender Registry Location

The Department of Emergency Services and Public Protection maintains a registry of all persons required to register as sex offenders. The state's public registry website is located at

http://www.communitynotification.com/cap_office_disclaimer.php?office=54567.

Statutory section amended 2011.

[Conn. Gen. Stat. Ann. § 54-257 \(2015\)](#)

Delaware

Delaware, Government's Disclosure Format

ACTIVE

The chief law enforcement officer or the State Police superintendent must notify the public as follows:

- for a tier II offender, notification must consist of searchable records available to the public, and may consist of active community notification; and
- for tier III offenders, notification must consist of searchable records available to the public and community notification.

Community notification generally means notice by any method devised specifically to notify members of the public who are likely to encounter a sex offender, including, but not be limited to:

- door-to-door appearances;
- mail;
- e-mail;
- telephone;
- fax;
- newspaper article; or
- notices to schools, licensed day care facilities, public libraries, any other entity or individual upon request, and other accessible public facilities in the community.

For tier II and tier III sex offenders, notice must also be given to:

- any school the offender plans to attend; and/or
- the chief law enforcement officer of the local jurisdiction where the offender plans to study or be employed.

Upon receipt of notice regarding a sex offender, the Attorney General must notify the offender's victims, unless the victim has requested not to be notified.

PASSIVE

Law enforcement agencies may access a complete register of all convicted persons. The public may access records on the Internet regarding every sex offender with a tier I or tier II risk assessment.

Statutory section amended 2014.

[Del. Code tit. 11, § 4121\(a\), \(h\), \(i\), \(j\) \(2016\)](#)

Delaware, Notification Triggers

Delaware statutes do not specifically define the size of the community that must be notified by "community notification." However, generally, community notification means notice by any method devised specifically to notify members of the public who are likely to encounter a sex offender. Community notification also includes notice to any entity or individual, upon request.

Statutory section amended 2014.

[Del. Code tit. 11, § 4121 \(2016\)](#)

Delaware, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

A licensee may not disclose, without the affected party's informed consent, any facts or suspicions that a party or someone in the community is a registered sex offender. If asked, the licensee must refer the person to the Delaware State Police for the information.

Statutory section amended and renumbered 2011.

[Del. Code tit. 24, § 2936\(c\)\(7\) \(2016\)](#)

Delaware, Registry Access

The public may access records regarding every convicted sex offender who is designated a tier II or tier III risk level. The public access records must:

- include a warning that the information "should not be used to unlawfully injure, harass, or commit a crime against any individual named in the registry or residing or working at any reported address" and note that such action could result in civil or criminal penalties;
- be searchable by name, geographic criteria, and "as many other required data elements as is technically feasible";
- be available upon request through police agencies, public libraries, public schools and the Internet; and
- be updated as often as practicable, but at least every three months.

Statutory section amended 2014.

[Del. Code tit. 11, § 4121\(a\)\(3\) \(2016\)](#)

Delaware, Sex Offender Categories

Sex offenders are assigned to one of the following risk assessment tiers, unless the Family Court has not required a "juvenile adjudicated delinquent of a sex offense" to register:

- tier III, for sex offenders convicted of certain specified serious offenses;

- tier II, for sex offenders convicted of certain specified moderately serious offenses; or
- tier I, for sex offenders not otherwise identified as tier II or III or convicted of other specified federal or military offenses.

Statutory section amended 2014.

[Del. Code tit. 11, § 4121\(d\) \(2016\)](#)

Delaware, Sex Offender Registry Location

The Delaware State Police department maintains the state sex offender registry. The state's public registry website is available at <https://sexoffender.dsp.delaware.gov>.

Statutory section amended 2013.

[Del. Code tit. 11, § 4120\(d\)\(1\) \(2016\)](#)

District of Columbia

District Of Columbia, Government's Disclosure Format

ACTIVE

The Metropolitan Police Department must disseminate the information obtained on sex offenders, including “active and passive notification to all or parts of the community concerning a sex offender,” including but not limited to:

- victims;
- witnesses;

- public and private educational institutions;
- day care entities;
- other institutions or organizations that provide services to or employ individuals who may be victimized by the offender;
- members of the public or governmental agencies requesting information on a specific individual for employment or foster care background checks or similar purposes;
- the “public at large”; and
- the Metropolitan Police Department and other law enforcement agencies.

Active notification concerning Class A offenders may be provided to any person or entity. Active notification concerning Class B and Class C offenders may be provided to:

- law enforcement agencies;
- organizations that provide services to vulnerable populations or victims of sexual offenses, such as “schools, day care centers, other child care and youth-serving organizations, facilities caring for or providing services to the elderly or persons with impairments, shelters, churches, and victims rights and victims services entities”;
- victims of and witnesses to a sex offender's crime and their family members; and

- any person, if the Police Department has information indicating that the sex offender may pose a specific risk to that person, and his family members.

Active notification may include:

- community meetings;
- flyers;
- telephone calls;
- door-to-door contacts;
- electronic notification;
- direct mailings; and
- media releases.

PASSIVE

Passive notification, defined as “making information about sex offenders available for public inspection or in response to inquiries,” may be by:

- Internet postings;

- making registration lists and registrant information available for inspection at police stations and other locations; and
- responding to written or oral inquiries.

The Department must make information on Class A and Class B offenders available for public inspection on the Internet. The Class A, Class B, and Class C offender registry is available for public inspection upon request.

The Department must also provide to members of the public and employees of governmental agencies, background check information for Class A, Class B, and Class C offenders for employment, childcare, foster care, and other purposes. The Department may require such requests to be in writing and may charge a fee for the information.

Statutory section enacted 2000. Regulations adopted 2000.

D.C. Code § 22-4011 (LexisNexis 2016); [D.C. Mun. Regs., tit. 6A, §§ 416, 417, 418 \(2015\)](#)

District Of Columbia, Notification Triggers

District of Columbia statutes and regulations do not provide specific notification triggers to the general public; active notification concerning Class A offenders may be provided to any person or entity.

Statutory section enacted 2000.

See D.C. Code § 22-4011 (LexisNexis 2016)

District Of Columbia, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

District Of Columbia, Registry Access

The Sex Offender Registry database provides information on Class A and Class B sex offenders only. A complete list of all Class A, B, and C offenders, is available, in person, at the Police Department.

Statutory section enacted 2000.

D.C. Code § 22-4011 (LexisNexis 2016)

District Of Columbia, Sex Offender Categories

Sex offenders are classified as follows for registration and notification purposes:

- Class A, for sex offenders who are required to register for life;
- Class B, for sex offenders, other than Class A offenders, who must register because of an offense against a minor, a ward, a patient, or a client; and
- Class C, for all other sex offenders.

Statutory section enacted 2000. Regulation adopted 2000.

D.C. Code § 22-4011 (LexisNexis 2016); [D.C. Mun. Regs., tit. 6A, § 400 \(2015\)](#)

District Of Columbia, Sex Offender Registry Location

The Court Services and Offender Supervision Agency for the District of Columbia maintains and operates the sex offender registry for the District of Columbia. The district's public registry website is available at <http://mpdc.dc.gov/service/sex-offender-registry>.

Statutory section 22-4001 amended 2007; § 22-4010 amended 2000; § 22-4007 enacted 2000.

D.C. Code §§ 22-4001, -4007, -4010 (LexisNexis 2016)

Florida

Florida, Government's Disclosure Format

ACTIVE

A state or local law enforcement agency may release to the public certain information regarding a criminal offender.

The Department of Law Enforcement must provide offender information to:

- the sheriff of the county in which the sexual offender was sentenced;
- the sheriff of the county and the police chief of the municipality where the sexual offender plans to reside;
- if requested, the victim, the victim's parent or legal guardian if the victim is a minor, or the next of kin if the victim is a homicide victim; and
- any person who requests the information.

The department or any law enforcement agency *may* notify the community and the public of a sexual offender's presence in the community. However, if a sexual offender is a "sexual predator," the Florida Department of Law Enforcement or any other law enforcement agency *must* inform "the community and the public" of the sexual predator's presence in the community.

The department was required to develop and maintain by January 1, 2008, a system to provide automatic notification to the public of registration information regarding sexual predators and sexual offenders. Also, in accordance with the federal Adam Walsh Child Protection and Safety Act of 2006, schools, public housing agencies, agencies responsible for conducting employment-related background checks, social service entities responsible for protecting minors, volunteer organizations in which contact with minors or other vulnerable individuals might occur, and any other similar entity or individual must "have access to the notification system."

For each sexual offender who is "enrolled or employed, whether for compensation or as a volunteer" at a Florida higher education institution, the department must promptly notify the institution of the sexual offender's presence and any change in the sexual offender's enrollment, volunteer, or employment status.

Upon notification of the presence of a sexual predator, the sheriff or the police chief where the sexual predator resides must notify:

- members of the community and the public; and
- licensed child care facilities, elementary schools, middle schools, and high schools.

Statewide notification to the public is authorized, if deemed appropriate by local law enforcement personnel and the department.

PASSIVE

The Department must:

- notify the public on the Internet of all designated sexual predators;

- provide a toll-free telephone number, providing public access to registration information regarding sexual predators and sex offenders and other information reported to the department that is not exempt from public disclosure; and
- provide to any person, upon request and at a reasonable cost, a copy of the photograph of any sexual offender or sexual predator that the department maintains in its files and a printed summary of the information that is available to the public.

The Department may notify the public through the Internet of any information regarding sexual offenders that is not confidential and exempt from public disclosure. Effective October 1, 2014, the department is required to determine what information will be made available to the public on the Internet. However, the department may not display on or disseminate through the Internet public registry any information regarding a vehicle that is owned by a person who is not required to register as a sexual predator or sexual offender.

Upon request, the Department must also provide offender information to:

- the sheriff of the county in which the sexual offender was sentenced; and
- the sheriff of the county and the police chief of the municipality where the sexual offender plans to reside.

Statutory section 943.44353 enacted 2007; § 943.043 amended 2014; §§ 943.046, 944.606, 985.481, 985.4815, and 775.21 amended 2016.

[Fla. Stat. §§ 943.043, .046, .44353; 944.606; 985.481, .4815; 775.21 \(2016\)](#)

Florida, Notification Triggers

The department or another law enforcement agency must inform the community and the public of a sexual predator's presence in the community. Although Florida statutes do not specifically define "community" with respect to notification to the general public, the Florida Sexual Predators Act generally defines "community" to mean "any county where the sexual predator lives or otherwise establishes or maintains a permanent, temporary, or transient residence." Also, Florida statutes clearly specify that the sheriff of the county or police chief of the municipality where the sexual

predator temporarily or permanently resides must notify each licensed child care facility, elementary school, middle school, and high school within a 1-mile radius of the sexual predator's residence.

Statewide notification to the public is permitted, if local law enforcement personnel and the department deem it to be necessary.

Statutory sections amended 2016.

[Fla. Stat. §§ 775.21; 944.606 \(2016\)](#)

Florida, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations addressing whether a licensee must disclose the proximity of a sex offender.

Florida, Registry Access

The general public may access information:

- through the Internet;
- through a toll-free telephone number; and
- upon request at a reasonable cost.

The department determines what information will be made available to the public on the internet. However, the department may not display on or disseminate through the public registry any information regarding a vehicle that is owned by a person who is not required to register as a sexual predator or sexual offender.

Statutory section amended 2014.

[Fla. Stat. § 943.043 \(2016\)](#)

Florida, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized into groups according to the dangers they pose. However, different notification provisions apply to persons identified as sexual predators.

Statutory sections amended 2016.

See [Fla. Stat. §§ 775.21, 943.0435 \(2016\)](#)

Florida, Sex Offender Registry Location

The Department of Law Enforcement maintains the sex offender and sexual predator databases. The state's public registry website is available at <http://offender.fdle.state.fl.us/offender/homepage.do;jsessionid=awvO64D4bfbufPbNDoOYOhz7>.

Statutory section 943.043 amended 2014; § 775.21 amended 2016.

[Fla. Stat. §§ 775.21; 943.043 \(2016\)](#)

Georgia

Georgia, Government's Disclosure Format

ACTIVE

The appropriate official or sheriff must forward required registration data to the Georgia Bureau of Investigation, which must notify the following:

- the sheriff of the sexual offender's county of residence;

- the sheriff of the offender's county of employment;
- the sheriff of the county where the sexual offender attends an institution of higher education;
and
- the Federal Bureau of Investigation.

The sheriff's office in each county must "inform the public of the presence of sexual offenders in each community" and provide current information on names and addresses of all registered sexual offenders to campus police institutions of higher education within the sheriff's jurisdiction.

PASSIVE

The sheriff's office in each county must provide a list, manually or electronically, of all sexual offenders and sexually dangerous predators residing in each county so that it may be available for inspection:

- in the sheriff's office;
- in any county administrative building;
- in the main administrative building for any municipal corporation;
- in the office of the clerk of the superior court so that such list is available to the public; and
- on a website maintained by the sheriff.

The sheriff may also post the list at any other public building.

On at least an annual basis, the Department of Education must:

- obtain from the Georgia Bureau of Investigation a complete list of the names and addresses of all registered sexual offenders; and
- provide access to the information, accompanied by a hold harmless provision, to each school in the state.

Statutory section 42-1-12 amended 2015. Regulation amended 2007.

Ga. Code Ann. § 42-1-12(h), (i), (j) (LexisNexis 2016); *see also* Ga. Comp. R. & Regs. r. 140-2-.18 (2015)

Georgia, Notification Triggers

The sheriff's office in each county must "inform the public of the presence of sexual offenders in each community," but no notification triggers are identified.

Statutory section amended 2015.

Ga. Code Ann. § 42-1-12(i)(5) (LexisNexis 2016)

Georgia, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

No cause of action arises against a real estate licensee for failing to disclose in any real estate transaction any information regarding sex offenders that is provided or maintained pursuant to § 42-9-44.1.

Statutory section amended 2001.

Ga. Code Ann. § 44-1-16 (LexisNexis 2016)

Georgia, Registry Access

The information collected under the state registration program is private, except that the information may be disclosed:

- to law enforcement agencies for law enforcement purposes;
- to government agencies conducting confidential background checks; and
- as necessary to protect the public, except that the victim's identity may not be released.

The sheriff's office in each county must post a list of every sexual offender residing in each county at the following locations:

- in the sheriff's office;
- in any county administrative building;
- in the main administrative building for any municipal corporation;
- in the office of the clerk of the superior court so that such list is available to the public; and
- on a website maintained by the sheriff.

The sheriff may also post the list at any other public building.

Statutory section amended 2015.

Ga. Code Ann. § 42-1-12(i), (o) (LexisNexis 2016)

Georgia, Sex Offender Categories

Sex offenders are categorized as follows:

- as a "Level I risk assessment classification" if the offender has both a low sex offense risk and a low recidivism risk; and
- as a "Level II risk assessment classification" if the offender has an intermediate sex offense risk and an intermediate recidivism risk, and includes all sexual offenders who are not classified either as a sexually dangerous predator or as a Level I risk assessment.

A "sexually dangerous predator" means an offender who:

- was designated as a sexually violent predator between July 1, 1996, and June 30, 2006; or
- the Sexual Offender Registration Review Board determines to be at risk of perpetrating a future dangerous sexual offense.

The Sexual Offender Registration Review Board must determine the "likelihood that a sexual offender will engage in another crime against a victim who is a minor or a dangerous sexual offense."

Statutory section 42-1-12 amended 2015; § 42-1-14 amended 2016. Regulation amended 2012.

Ga. Code Ann. §§ 42-1-12(a)(12), (13), (17), (21); -14 (LexisNexis 2016) (as amended by [2016 Ga. Laws ch. 460 \(S.B. 367\)](#)); Ga. Comp. R. & Regs. 594-1-.04 (2015)

Georgia, Sex Offender Registry Location

The Georgia Bureau of Investigation maintains the state's sexually violent offender registry. The state's public registry website is located at http://state.sor.gbi.ga.gov/sort_public/.

Statutory section amended 2015. Regulation amended 2007.

Ga. Code Ann. § 42-1-12(h), (i) (LexisNexis 2016); *see also* Ga. Comp. R. & Regs. r. 140-2-.18 (2015)

Guam

Guam, Government's Disclosure Format

ACTIVE

Guam's public sex offender's registry must permit the public to request email notices "that will notify the person requesting such information when a sex offender commences residence, employment or school enrollment on Guam, within a specified zip code, or within a certain geographic radius."

Also, the Probation Division of the Guam Judiciary must transmit, within three calendar days, a notice of any updates to sex offender registration information to:

- the Guam Department of Education;
- the Guam Community College and the University of Guam;
- the Department of Administration;
- the departments of Labor and Agency for Human Resources Development, Public Health and Social Services, and Youth Affairs;
- the Child Protective Services Agency;
- the Attorney General's Office; and
- all public and private schools, day care centers, victim shelters, and victim advocates.

The division may transmit the information by email. It may also transmit any information concerning sex offenders directly to the media for dissemination.

The division must immediately notify:

- the FBI (for the National Sex Offender Registry);
- any Guam agency, department, or program responsible for criminal investigation, prosecution of child welfare, or sex offender supervision functions; and
- all other jurisdictions in which the sex offender is registered because of his or her residency, school enrollment, or employment.

PASSIVE

The Probation Division of the Guam Judiciary must maintain and operate a public Sex Offender Registry Website. The website must contain:

- a searchable database of all sex offenders, which database must be searchable by (a) name; (b) county, city, or town; and (c) zip code or geographic radius;
- a mechanism to allow visitors to subscribe, by email, for notification of any updates or changes to the registry;
- links to sex offender safety and education resources;
- instructions on how to seek correction of erroneous information; and
- a warning that the site's information should not be used to "unlawfully injure, harass, or commit a crime against any individual named in the registry or residing or working at any reported address."

The website must include all field search capabilities needed for full participation in the Dru Sjodin National Sex Offender Public Website.

The website must make public the following information:

- notice if the sex offender has absconded;

- all sex offenses for which the offender has been convicted and for which he or she is currently registered;
- the offender's employer's address;
- the offender's name, current photograph, and physical description;
- the offender's residential address and the addresses of the offender's schools; and
- the offender's vehicle's license plate number and description.

If a registrant is re-incarcerated or civilly committed, the information that "the registrant is re-incarcerated, and the reason(s) for such re-incarceration, or civilly committed" must be released to the community.

Upon a sex offender's registration or update of information, the division must update Guam's public sex offender registry website within three working days.

Statutory section amended 2010.

[9 Guam Code Ann. § 89.11 \(2015\)](#)

Guam, Notification Triggers

No notification triggers exist because Guam law requires no active notification to the general public. However, Guam's public sex offender's registry must permit the public to request email notices "that will notify the person requesting such information when a sex offender commences residence, employment or school enrollment on Guam, within a specified zip code, or within a certain geographic radius."

Statutory section amended 2010.

[9 Guam Code Ann. § 89.11 \(2015\)](#)

Guam, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

No relevant provisions were located.

Guam, Registry Access

The community has access to Guam's Public Sex Offender Registry Website. The website must contain:

- a searchable database of all sex offenders, searchable by (a) name; (b) county, city, or town; and (c) zip code or geographic radius;
- a mechanism to allow visitors to subscribe, by email, for notification of any updates or changes to the registry;
- links to sex offender safety and education resources;
- instructions on how to seek correction of erroneous information; and
- a warning that the site's information should not be used to "unlawfully injure, harass, or commit a crime against any individual named in the registry or residing or working at any reported address."

The website must include all field search capabilities needed for full participation in the Dru Sjodin National Sex Offender Public Website.

Statutory section amended 2010.

[9 Guam Code Ann. § 89.11 \(2015\)](#)

Guam, Sex Offender Categories

Guam classifies sex offenders as follows:

- a Level One Offender, who must register for life, is a person convicted of a sexually violent offense or certain other specified serious offenses, including a sex offense that is punishable by more than one year in prison if the offender has at least one prior conviction for an offense listed in § 89.02(b) or has previously been a Level Two Offender;
- a Level Two Offender, who must also register for life, is a person not otherwise classified as a Level One Offender, who is convicted of criminal sexual conduct involving two or more victims, two or more separate criminal sexual conduct offenses, a criminal offense against a minor involving two or more minors, two or more separate criminal offenses against a minor, or at least one criminal sexual conduct offense and one criminal offense against a minor, and other moderately serious specified offenses; and
- a Level Three Offender, who must register for 15 years, is a person not otherwise classified as a Level One Offender or a Level Two Offender, who is convicted of a specified lesser offense.

Statutory section 89.04 amended 2010; § 89.02 amended 2014.

[9 Guam Code Ann. §§ 89.02, .04 \(2015\)](#)

Guam, Sex Offender Registry Location

The Probation Division of the Guam Judiciary maintains the sex offender registry. The territory's public registry website is available at <http://www.guamcourts.org/sor/index.asp>.

Statutory section 89.11 amended 2010; § 89.03 amended 2011.

Hawaii

Hawaii, Government's Disclosure Format

ACTIVE

"To facilitate community notification" after an offender registers or updates a registration, the attorney general may "provide public information in the registry about that offender to any organization, company, or individual" who properly requests such notification.

PASSIVE

Registration information must be disclosed to:

- law enforcement agencies for law enforcement purposes; and
- government agencies conducting confidential background checks.

The attorney general and county police departments must release public information concerning a registrant.

Public access to a covered offender's public information is permitted beginning the next working day following the filing of a conviction judgment, a finding of unfitness to proceed or an acquittal due to mental defect, or as soon thereafter as practical. The length of time that public access continues depends on the level of the offender's offense and the number of convictions.

Statutory section amended 2008.

[Haw. Rev. Stat. § 846E-3 \(2015\)](#)

Hawaii, Notification Triggers

"To facilitate community notification" after an offender registers or updates a registration, the attorney general may "provide public information in the registry about that offender to any organization, company, or individual" that properly requests notification.

Statutory section amended 2008.

[Haw. Rev. Stat. § 846E-3 \(2015\)](#)

Hawaii, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Hawaii, Registry Access

All authorized public access will be provided by both Internet access and on-site access at the Hawaii criminal justice data center and at one or more designated police stations in each county.

Statutory section amended 2008.

[Haw. Rev. Stat. § 846E-3 \(2015\)](#)

Hawaii, Sex Offender Categories

The definitions of "aggravated sex offenders" and "sexually violent predators" have been repealed. Hawaii statutes now establish the following tiers of offenses, and the tiers determine the time period during which the offender must register.

Tier 3

Tier 3 offenses include, among others,

- most types of sexual assault in the first degree;
- sexual assaults in the second degree if by compulsion or with a "mentally incapacitated or physically helpless" person;
- some types of sexual assault in the third degree (such as those by compulsion or involving underage children);
- continuous sexual assault of a minor under 14 years of age;
- kidnapping of a minor by someone other than a parent; and
- other similar offenses.

A Tier 3 offender must register for life.

Tier 2

Tier 2 offenses include, among others,

- statutory rape, if the person is at least five years older than the minor;

- sexual assault in the second degree, if the person commits the offense while employed by entities such as a state correctional facility;
- promoting child abuse in the first or second degree;
- certain types of electronic enticement of a child in the first degree;
- certain types of promoting prostitution in the second degree; and
- other comparable offenses that are generally deemed to be less serious than Tier 3 offenses.

A Tier 2 offender may petition the court for termination of registration requirements if:

- the offender has maintained a clean record for the previous 25 years (excluding any time the offender was in custody or civilly committed);
- the offender has substantially complied with registration requirements during that time;
- the offender is not a repeat offender; and
- the offender's most serious offense is a Tier 2 offense.

Tier 1

Tier 1 offenses include, among others,

- some types of sexual assault in the third degree;
- unlawful imprisonment in the first or second degree of a minor by someone other than a parent;
- electronic enticement of a child in the second degree;
- promoting prostitution in the first degree (and some forms of second degree) and violation of privacy in the first degree; and
- other comparable offenses that are generally deemed to be less serious than Tier 2 offenses.

A Tier 1 offender may petition the court for termination of registration requirements if:

- the offender has maintained a clean record for the previous 10 years (excluding any time the offender was in custody or civilly committed);
- the offender has substantially complied with registration requirements during that period;
- the offender is not a repeat offender; and
- the offender's most serious offense is a Tier 1 offense.

Repeat covered offenders must register for life. However, despite the above requirements, a covered offender may petition for termination of registration 40 years after the offender's date of release or sentencing, whichever is later.

Statutory section 846E-3 amended 2009; §§ 846E-1 and 846E-10 amended 2013.

See [Haw. Rev. Stat. §§ 846E-3, -1, -10 \(2015\)](#)

Hawaii, Sex Offender Registry Location

The Hawaii criminal justice data center maintains the central registry, which is also available at one or more designated police stations in each county. The state's public registry is available at <http://sexoffenders.ehawaii.gov/sexoffender/welcome.html>.

Statutory section amended 2008.

[Haw. Rev. Stat. § 846E-3 \(2015\)](#)

Idaho

Idaho, Government's Disclosure Format

ACTIVE

The Idaho State Police Department must, within three business days, disseminate registration information to:

- the U.S. Attorney General for inclusion in the national sex offender registry or other appropriate databases;
- each school and public housing agency in each area in which the offender resides or is an employee or a student;

- each jurisdiction in which the offender resides or is an employee or a student and each jurisdiction from or to which a change of residence, employment, or student status occurs;
- criminal justice agencies;
- any agency responsible for conducting employment-related background checks under federal law;
- social service entities responsible for protecting minors in the child welfare system;
- volunteer organizations in which contact with minors or other vulnerable adults might occur; and
- an organization, company, or individual who requests notification of changes in registry information.

The registry information must be "used only for the administration of criminal justice or for the public's protection," as permitted by law. The department must include a cautionary statement relating to completeness, accuracy and use of registry information, as well as a statement concerning the penalties for misuse of registry information. The released information may be used only for the public's protection.

PASSIVE

The department or sheriff must provide public access over the internet to specified information contained in the central sexual offender registry. The department must include a cautionary statement relating to completeness, accuracy, and use of registry information and a statement concerning the statutory penalties for misuse of the information.

Idaho regulations, as amended in 2012, no longer provide that the bureau or sheriff may provide public access to central registry information only if he or she obtains a completed request form.

Statutory sections amended 2011. Regulation amended 2016.

[Idaho Code §§ 18-8305\(2\), -8323, -8324 \(2016\)](#); see [Idaho Admin. Code § 11.10.03.012 \(2016\)](#)

[Idaho, Notification Triggers](#)

There are no specific notification triggers to the general public. However, the department must, within three business days, disseminate registration information to specified entities and individuals.

Statutory section amended 2011.

[Idaho Code § 18-8324 \(2016\)](#)

Idaho, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Idaho Code § 55-2801 defines “psychologically impacted real property” as including property with a registered or suspected sex offender residing nearby. No cause of action arises against a real property owner or his representative for failing to disclose to a buyer that a property is psychologically impacted. However, if a purchaser making a bona fide offer notifies the seller’s representative in writing that knowing whether the property may be psychologically impacted is an important factor in the purchaser’s decision to purchase, the seller’s representative must ask the seller, and, with the seller’s consent, must report any findings to the purchaser. If the seller refuses to disclose the information, the seller’s representative must so advise the purchaser.

Statutory sections enacted 1998 and redesignated 2005.

[Idaho Code §§ 55-2801, -2802, -2803 \(2016\)](#)

Idaho, Registry Access

The department or sheriff must provide public access over the internet to specified information contained in the central sexual offender registry. The department must include a cautionary statement relating to the completeness, accuracy, and use of registry information and a statement concerning the statutory penalties for the information's misuse.

Idaho regulations, as amended in 2012, no longer provide that the bureau or sheriff may provide public access to central registry information only if he or she obtains a completed request form.

Statutory section amended 2011. Regulation amended 2016.

[Idaho Code § 18-8323 \(2016\)](#); see [Idaho Admin. Code § 11.10.03.012 \(2016\)](#)

Idaho, Sex Offender Categories

Idaho law provides additional requirements that apply to violent sexual predators, who are defined as persons the sex offender classification board designates as such, provided the designation has not been removed.

Statutory section 18-8307 amended 2013; § 18-8303 amended 2016.

[Idaho Code § 18-8303 \(2016\)](#); see, e.g., [Idaho Code § 18-8307 \(2016\)](#) (a violent sexual predator must register every three months)

Idaho, Sex Offender Registry Location

The Idaho State Police Department maintains the central sexual offender registry in the bureau of criminal identification, separate from other records. Registry information must be "in digital form or include links or identification numbers that provide access to the information in other databases in which it is included in digital form." The state's public registry website is available at http://www.isp.idaho.gov/sor_id/.

Statutory section 18-8305 amended 2011; § 18-8303 amended 2016. Regulation amended 2016.

[Idaho Code §§ 18-8305\(1\), -8303\(3\) \(2016\)](#); [Idaho Admin. Code § 11.10.03.012 \(2016\)](#)

Illinois

Illinois, Government's Disclosure Format

ACTIVE

Outside of Cook County

Except in Cook County, the county sheriff must disclose sex offender registry information to:

- the boards or administrative offices of each institution of higher education in the county in which the sex offender registers, resides, is employed, or is attending an institution of higher education;
- the school boards of public school districts and an administrative officer of each nonpublic school in the county in which the sex offender registers or is employed;
- child care facilities in the county in which the sex offender registers or is employed;
- libraries and public housing agencies located in the county in which the sex offender registers or is employed;
- the Illinois Department of Children and Family Services;
- social service agencies and volunteer organizations providing services to minors located in the county in which the sex offender registers or is employed; and
- a victim of a sex offense who is residing in the county in which the sex offender registers or is employed and who is not otherwise required to be notified, provided that the victim notifies the appropriate sheriff that the victim desires to receive the notice.

In Cook County, except Chicago

In Cook County other than in Chicago, the sheriff must disclose sex offender registry information to:

- the school boards of public school districts and an administrative officer of each nonpublic school in the Cook County region in which the sex offender registers or is employed;
- child care facilities in the Cook County region in which the sex offender registers or is employed;
- the boards or administrative offices of each institution of higher education located in the county in which the sex offender is required to register, resides, is employed, or is attending an institution of higher education;
- libraries and public housing agencies located in the county (other than in Chicago) in which the sex offender registers, resides, is employed, or is attending an institution of higher learning;
- the Illinois Department of Children and Family Services;
- social service agencies and volunteer organizations providing services to minors located in the county (other than in Chicago) in which the sex offender registers or is employed; and
- a victim of a sex offense who is residing in the county (other than in Chicago) in which the sex offender registers, resides, is employed, or attends an institution of higher education, and who is not otherwise required to be notified, provided that the victim notifies the appropriate sheriff that the victim desires to receive the notice.

In Chicago

In Chicago, the Chicago Police Department must disclose sex offender registry information to:

- the school boards of public school districts and an administrative officer of each nonpublic school located in the police district in which the offender registers or is employed, if the offender is required to register or is employed in Chicago;

- child care facilities located in the police district in which the sex offender registers or is employed, if the offender is required to register or is employed in Chicago;
- the boards or an administrative office of institutions of higher education located in the police district in which the sex offender registers, resides, is employed, or is attending an institution of higher education in Chicago;
- public libraries and public housing agencies located in the police district in which the sex offender registers or is employed, if the offender is required to register or is employed in Chicago;
- the Illinois Department of Children and Family Services;
- social service agencies and volunteer organizations providing services to minors located in the police district in which the sex offender registers, resides, is employed, or attends an institution of higher education in Chicago; and
- a victim residing in the police district in which the sex offender registers, resides, is employed, or attends an institution of higher education in Chicago, who is not otherwise required to be notified, provided the victim notifies the appropriate sheriff or the Chicago Police Department that the victim desires to receive the notice.

General provisions

The State Police Department must provide a list of registrants to the Illinois Department of Children and Family Services. Also, the State Police Department and any law enforcement agency may disclose, in its discretion, certain registry information to any person likely to encounter a sex offender or sexual predator.

For registrants whose victims were 13 years of age or younger, the sheriff or a municipal police department may also:

- publish the registrants' photographs in a newspaper or magazine of general circulation in the municipality or county; or
- disseminate the offenders' photographs on the Internet or on television.

Juvenile offenders

The Department of State Police and any law enforcement agency with jurisdiction may, in their discretion, provide certain information regarding an adjudicated juvenile delinquent to any person, if "that person's safety may be compromised for some reason related to the juvenile sex offender."

PASSIVE

Certain information in the sex offender registry is open to inspection by the public at each municipal police department, which must make available information on all sex offenders required to register in the municipality. The sheriff must make available information on all sex offender registrants who live in unincorporated areas of the county. Sex offender information must be available for public inspection to any person, upon request in person, in writing, or by telephone. The department or sheriff may charge a fee of no more than the actual costs of copying the information. A law enforcement agency may make available information on all sex offenders residing within any county.

The State Police Department and any law enforcement agency may, in its discretion, place the registry information on the Internet or in other media.

Elementary or secondary school principals or teachers must, during school registration or parent-teacher conferences, notify parents of children attending their school that information about sex offenders is available to the public.

The Department must also establish and maintain a "Statewide Missing Sex Offender Database for the purpose of identifying missing sex offenders and making that information available" to certain persons. The information contained in the Statewide Missing Sex Offender Database must be accessible on the Internet by means of a hyperlink labeled "Missing Sex Offender Information" on the Department's home page and on the Attorney General's I-SORT page. The Department may require a person who seeks access to the missing sex offender information to submit biographical

information about himself or herself before permitting access to the missing sex offender information.

Statutory section 152/120 amended 2008; § 152/121 amended 2007; § 152/116 amended 2014.

[730 Ill. Comp. Stat. 152/116, /120, /121 \(2015\)](#)

Illinois, Notification Triggers

Illinois statutes provide that the State Police Department and any law enforcement agency may disclose, in its discretion, sex offender information to "any person likely to encounter a sex offender, or sexual predator." The Department of State Police and any law enforcement agency with jurisdiction may, in their discretion, provide certain information regarding an adjudicated juvenile delinquent to any person, if "that person's safety may be compromised for some reason related to the juvenile sex offender." No provisions were located providing additional information regarding which members of the community must be notified.

Statutory section 152/120 amended 2008; § 152/121 amended 2007.

[730 Ill. Comp. Stat. 152/120, /121 \(2015\)](#)

Illinois, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations addressing whether a licensee must disclose the proximity of a sex offender.

Illinois, Registry Access

The Statewide Sex Offender Database is available to certain specified persons. The State Police Department must also make the information accessible on the Internet by means of a hyperlink labeled "Sex Offender Information" on the department's home page. The Department must make the information searchable with a mapping system that identifies registered sex offenders living within five miles of a specific address. The State Police Department may require a person who seeks access to sex offender information to submit biographical information about himself or herself before permitting access to the information.

Statutory section amended 2006.

[730 Ill. Comp. Stat. 152/115 \(2015\)](#)

Illinois, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized according to the dangers they pose. However, Illinois statutes distinguish sexual predators from other sex offenders, and requires certain serious offenders to register for life.

Statutory sections amended 2012.

See [730 Ill. Comp. Stat. 150/2\(C-5\), \(C-6\), \(E\); /7 \(2015\)](#)

Illinois, Sex Offender Registry Location

The State Police Department maintains a statewide sex offender database. The state's public registry website is available at <http://www.isp.state.il.us/sor/>.

Statutory section amended 2006.

[730 Ill. Comp. Stat. 152/115 \(2015\)](#)

Indiana

Indiana, Government's Disclosure Format

ACTIVE

The corrections department must provide judges, law enforcement officials, prosecuting attorneys, parole officers, probation officers and community corrections officials with

information and training regarding the use of the Indiana sex and violent offender registry. Upon a neighborhood association's request, the department must either:

- transmit to the association information concerning sex or violent offenders who reside near the association's location; or
- provide the association with instructional materials regarding the use of the Indiana sex and violent offender registry.

When a sex or violent offender registers, the local law enforcement authority must notify every law enforcement agency with jurisdiction in the county in which the offender is required to register.

If the parole board allows a sex offender to reside within 1000 feet of school property, the board must notify each school within 1000 feet of the sex offender's residence.

PASSIVE

The corrections department maintains the Indiana sex and violent offender registry, which must include the names of each offender who is or has been required to register. The department must:

- ensure that the registry is updated at least once per day;
- publish the registry on the Internet, displaying the following message: "Based on information submitted to law enforcement, a person whose name appears in this registry has been convicted of a sex or violent offense or has been adjudicated a delinquent child for an act that would be a sex or violent offense if committed by an adult"; and
- ensure that an offender's information is no longer published if the offender's registration period has expired or the offender is deceased.

Statutory sections 11-8-8-7 and 11-8-2-13 amended 2013; § 11-8-2-12.4 amended 2014; § 11-13-3-4 amended 2015.

[Ind. Code §§ 11-8-2-12.4, -13; -8-8-7; -13-3-4 \(2016\)](#)

Indiana, Notification Triggers

No notification triggers exist because Indiana law does not require active notification to the general public. Upon a neighborhood association's request, the department must either:

- transmit to the association information concerning sex or violent offenders who reside near the association's location; or
- provide the association with instructional materials regarding the use of the Indiana sex or violent offender registry.

Statutory section amended 2014.

[Ind. Code § 11-8-2-12.4 \(2016\)](#)

Indiana, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Indiana, Registry Access

The Indiana sex and violent offender registry maintained by the corrections department is available on the internet.

Statutory section amended 2013.

[Ind. Code § 11-8-2-13 \(2016\)](#)

Indiana, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized according to the dangers they pose. However, an individual who is a sexually violent predator has different registration requirements.

Statutory section amended 2013.

[Ind. Code § 11-8-8-7 \(2016\)](#)

Indiana, Sex Offender Registry Location

The corrections department maintains the Indiana sex and violent offender registry. The state's public registry is available at <http://www.icrimewatch.net/indiana.php>.

Statutory section 11-8-2-1 enacted 1979; § 11-8-2-12.4 amended 2014.

[Ind. Code §§ 11-8-2-1, -12.4 \(2016\)](#)

Iowa

Iowa, Government's Disclosure Format

ACTIVE

The department of public safety must adopt rules to provide, among other things, a procedure for disseminating registry information. This procedure must include "practical guidelines for use by criminal or juvenile justice agencies in determining when public release of relevant information contained in the registry is appropriate."

The department must also provide specified registry information to:

- the F.B.I.;
- criminal or juvenile justice agencies, state agencies, another jurisdiction's sex offender registry, or the federal government; and
- at the department's discretion, the general public through the sex offender registry internet site or "any other means."

A criminal or juvenile justice agency may provide specified relevant information from the sex offender registry to:

- a criminal or juvenile justice agency, a state agency, another jurisdiction's sex offender registry, or the federal government; and
- the general public, including "public and private agencies, organizations, public places, child care facilities, religious and youth organizations, neighbors, neighborhood associations, community meetings, and employers."

The information available to the general public may be distributed through:

- printed materials;
- visual or audio press releases;
- radio; or

- a criminal or juvenile justice agency's Internet site.

When a sex offender moves into or within a school district, the county sheriff must provide the relevant information that is available to the general public to:

- the administrative office of the school district in which the registrant resides; and
- any nonpublic school near the offender's residence.

PASSIVE

Internet site

The department must maintain an Internet site for public access to relevant information about sex offenders. The internet site must be searchable by name, county, city, zip code, and geographic radius.

Information that must be disclosed on the Internet site includes:

- birth date;
- name and nickname;
- photographs;

- physical description;
- residence; and
- other information regarding registration requirements and restrictions.

Information that may not be disclosed on the site includes that related to a sex offender who was less than 20 years of age, the offender's employer or school, and other information not explicitly permitted to be disclosed.

Requested information

A member of the public may also contact a county sheriff's office to request registry information regarding a specific sex offender. A person may make a request for relevant information by telephone, in writing, or in person. The request must include the person's name and at least one of the following specific identifiers pertaining to the sex offender: birth date, social security number, address, Internet identifier, or telephone numbers. Information available upon such a request includes:

- the information provided to the general public on the Internet site;
- educational institutions attended; and
- employment, temporary lodging, and vehicle information.

A county sheriff or police department may not charge a fee related to a request for relevant information. He or she must also provide a person, upon request, access to a list of all registrants in the county.

A person may also contact the department of public safety or a county sheriff's office to verify whether a particular internet identifier or telephone number has been included in a sex offender's registration.

Email notification

In addition, the department must maintain an automated email notification system, which must be available by free subscription to any person, to provide:

- notice of changes to any sex offender registration; and
- relevant information within a postal zip code or geographic radius, or, if selected by a subscriber, specific to a sex offender.

Statutory section 692A.121 amended 2013; § 692A.118 amended 2012.

[Iowa Code §§ 692A.118, .121 \(2016\)](#)

Iowa, Notification Triggers

No specific notification triggers for the general public were located. Active notification is discretionary; the department must provide specified registry information to the general public through the sex offender registry Internet site or "any other means" at the department's discretion.

When a sex offender moves into or within a school district, the county sheriff must provide the relevant information that is available to the general public to the administrative office of the school district in which the registrant resides and to any nonpublic school near the offender's residence.

Statutory section amended 2013.

[Iowa Code § 692A.121 \(2016\)](#)

Iowa, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Iowa, Registry Access

The department must maintain an Internet site for the public to access relevant information about sex offenders. The site must be searchable by name, county, city, zip code, and geographic radius.

A member of the public may also contact a county sheriff's office to request relevant information from the registry regarding a specific sex offender. A county sheriff must provide a person, upon request, access to a list of all registrants in the county.

Statutory section amended 2013.

[Iowa Code § 692A.121 \(2016\)](#)

Iowa, Sex Offender Categories

All individuals required to register are classified as tier I, tier II, or tier III offenders, as follows:

- Tier I, for those convicted of less serious offenses, such as specified sexual abuse crimes committed by a person under the age of 14, certain violations constituting sexual abuse in the third degree, indecent exposure, certain harassment and stalking violations, and numerous other specific offenses enumerated in Iowa Code § 692A.102(1)(a);

- Tier II, for those convicted of more serious crimes, such as certain lascivious acts with a child, solicitation of a minor to engage in certain illegal sex acts and stalking violations, false imprisonment of a minor, assault with intent to commit sexual abuse if no injury results, and numerous other specific offenses enumerated in Iowa Code § 692A.102(1)(b); and
- Tier III, if convicted of the most serious offenses, including murder or manslaughter involving sexual abuse or sexual motivation, sexual abuse in the first degree, kidnapping involving sexual abuse, and numerous other specific offenses enumerated in Iowa Code § 692A.102(1)(c).

A sex offender classified as a tier I offender is reclassified as a tier II offender, if he or she has one previous conviction for an offense classified as a tier I offense, and an offender classified as a tier II offender is reclassified as a tier III offender, if he or she has a previous conviction for a tier II offense or has been reclassified as a tier II offender because of a previous conviction. Any sex offense that qualifies as a sexually violent predator is a tier III offense.

Statutory section 692A.102 amended 2014. Regulation amended 2009.

[Iowa Code § 692A.102 \(2016\)](#); [Iowa Admin. Code r. 661-83.2 \(692A\) \(2015\)](#)

Iowa, Sex Offender Registry Location

The Department of Public Safety maintains the sex offender registry. The state's public registry website is available at <http://www.iowasexoffender.com/>.

Statutory section 692A.118 amended 2012; § 692A.101 amended 2014. Regulation dated 2009.

[Iowa Code §§ 692A.101\(9\), .118 \(2016\)](#); [Iowa Admin. Code 661-83.1\(692A\) \(2015\)](#)

Kansas

Kansas, Government's Disclosure Format

ACTIVE

The Kansas Bureau of Investigation actively notifies only the law enforcement agency with jurisdiction over the area in which the offender expects to reside, maintain employment, or attend school upon release. However, the following agencies must actively notify the public entities indicated:

- the state department of education must annually notify schools of the Kansas Bureau of Investigation internet website and any website containing information on the Kansas offender registration act sponsored or created by the local registering law enforcement agency, for the purpose of locating offenders who reside near that school; and
- the secretary of health and environment must annually notify any licensed child care facility of the Bureau's internet website and any internet website containing information on the Kansas offender registration sponsored or created by the local registering law enforcement agency, for the purpose of locating offenders who reside near that facility.

These notices must also state that the local registering law enforcement agency is available to assist in the registry's use and to provide additional information on registered offenders.

PASSIVE

Except for information pertaining to certain juvenile offenders, the general public may access sex offender registry information at:

- the registering law enforcement agency;

- the Kansas Bureau of Investigation headquarters; and
- on the Internet.

Statutory section 22-4909 amended 2012; § 22-4904 amended 2016.

[Kan. Stat. §§ 22-4904](#) (as amended by [S.B. 407, 2015-16 Leg., Reg. Sess. \(Kan. 2016\)](#)), [-4909 \(2015\)](#)

Kansas, Notification Triggers

The general public is not actively notified of sex offenders in the vicinity, so no notification triggers exist.

Kansas, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no currently effective state statutes or regulations that specifically address whether a licensee must disclose the proximity of a sex offender. However, each residential real estate sale contract must contain the following:

Kansas law requires persons who are convicted of certain crimes, including certain sexually violent crimes, to register with the sheriff of the county in which they reside. If you, as the buyer, desire information regarding those registrants, you may find information on the homepage of the Kansas Bureau of Investigation (KBI) at <http://www.Kansas.gov/kbi> or by contacting the local sheriff's office.

Statutory section enacted 2007.

[Kan. Stat. § 58-3078 \(2015\)](#)

Kansas, Registry Access

The general public may access certain sex offender registry information at:

- the registering law enforcement agency;
- the Kansas Bureau of Investigation headquarters; and
- on the Internet.

Note that the offender's employment information is not posted on the Internet, but it is publicly available by contacting the appropriate registering law enforcement agency or by signing up for community notification through the bureau's official website.

Statutory section amended 2012.

[Kan. Stat. § 22-4909 \(2015\)](#)

Kansas, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized into tiers according to the dangers they pose. However, Kansas statutes identify "sexually violent predators," who must register for life. Also, although Kansas law does not create named categories of sexual offenders, the mandatory registration period varies by crime and number of offenses and ranges from 15 years to life.

Statutory sections amended 2014.

[Kan. Stat. §§ 22-4902, -4906 \(2015\)](#)

Kansas, Sex Offender Registry Location

The Kansas Bureau of Investigation maintains the state registered offender database and the Kansas registered offender website. The state's public registry website is available at <http://www.accesskansas.org/kbi/ro.shtml>.

Statutory section amended 2016.

[Kan. Stat. § 22-4904 \(2015\)](#) (as amended by [S.B. 407, 2015-16 Leg., Reg. Sess. \(Kan. 2016\)](#))

Kentucky

Kentucky, Government's Disclosure Format

ACTIVE

No mandatory active notification provisions were located. However, a local law enforcement agency *may* "provide personal notification regarding the registrants located in its jurisdiction."

PASSIVE

The Justice Cabinet may share sex offender information with law enforcement agencies and the federal government in the course of their official duties.

The Department of Kentucky State Police has a web site that displays certain registrant information and is available to the public. The Justice Cabinet has a toll-free telephone number for obtaining the identity of the web site and the location of public access to the web site in the county where the person resides.

The website must provide public access to email addresses and Internet communication name identities used by registrants. This information is available to the public solely by a person entering an email address or other Internet communication name to determine whether the entered identifier is included in any registrant's information.

Statutory section 17.530 amended 2006; § 17.580 amended 2009.

[Ky. Rev. Stat. §§ 17.530, .580 \(2016\)](#)

Kentucky, Notification Triggers

No notification triggers were located; Kentucky law does not require active notification to the general public.

Kentucky, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Kentucky, Registry Access

The Department of Kentucky State Police web site is available to the public.

Statutory section amended 2009.

[Ky. Rev. Stat. § 17.580 \(2016\)](#)

Kentucky, Sex Offender Categories

Kentucky sex offenders are categorized according to their risk of recommitting a sex crime, the threat posed to public safety, the amenability to sex offender treatment, and the nature of the required treatment. However, § 17.572, which provided different notification provisions for high, moderate, and low risk sex offenders, was repealed in 2000.

Statutory section amended 2000.

[Ky. Rev. Stat. § 17.554 \(2016\)](#)

Kentucky, Sex Offender Registry Location

The Department of Kentucky State Police maintains the sex offender registry website. The state's public registry website is available at <http://kspsor.state.ky.us/>.

Statutory section amended 2009.

[Ky. Rev. Stat. § 17.580 \(2016\)](#)

Louisiana

Louisiana, Government's Disclosure Format

ACTIVE

Any adult residing in Louisiana who has pled guilty to, been convicted of, or had an adjudication deferred or withheld for a sex offense or a criminal offense against a minor must give notice of the crime for which he was convicted, his name, address, physical description, and a photograph to the following:

- at least one person in every residence or business within a one-mile radius in a rural area and a three-tenths of a mile radius in an urban or suburban area of the offender's residential address, including all adults residing in the offender's residence;
- the superintendent of the school district in which the offender will reside, who must notify the principal of every school located within a one-mile radius of the offender's residence and may notify the principals of other schools, as deemed appropriate, and the principals must post notices in conspicuous areas that are accessible by all students attending the school;
- the lessor, landlord, or owner of the residence or the property on which the offender resides; and
- the superintendent of any park, playground, or recreation district within the area in which the offender will reside, who must notify the custodians of the parks, playgrounds, and recreational facilities in the designated area and may notify the

custodians of other parks, playgrounds, and recreational facilities as deemed appropriate, and the custodian must post notices in conspicuous areas.

The offender generally must give notice of the crime for which he was convicted, his name, the conviction jurisdiction, a physical description, and his physical address by mail to all people residing within the designated area within 21 days of his conviction date (if not taken into custody) or release from confinement or within 21 days of establishing residency in the locale in which the offender plans to live. The notice must be published on two separate days within that period in:

- the official journal of the governing authority of the parish in which the defendant plans to live; and
- if the sheriff or police department orders, or if required by local ordinance, in a newspaper that "meets the requirements of R.S. 43:140(3) for qualification as an official journal and which has a larger or smaller circulation in the parish than the official journal."

The notice provided to the official journal or other designated newspaper must include a recent photograph.

The offender must also give "any other notice deemed appropriate" by the court in which the defendant was convicted, "including but not limited to signs, handbills, bumper stickers, or clothing labeled to that effect."

The offender must "[p]ost the number of his physical address in a conspicuous place on the outside of his residence." The posted number must be prominently displayed and of a sufficient size and legibility so that it will be visible to an ordinarily observant person approaching the residence during daylight.

Any person required to register who provides recreational instruction to persons under the age of 17 must post a notice in the building or facility in which he or she is giving such instruction. The notice must:

- contain the offender's name and photograph, the date and jurisdiction of the conviction, and the crime; and
- be "prominently displayed" and sufficiently large to alert persons entering the building or facility that the recreational instructor is a convicted sex offender.

A juvenile offender is generally exempt from the above notification requirements, except for the notification required of offenders providing recreational instruction to persons under the age of 17. However, the following juveniles must register and provide the required notifications:

- any juvenile who has pled guilty or has been convicted of a sex offense, with the exception of simple or third degree rape, but including any conviction for an equivalent offense under another jurisdiction's laws; and
- any juvenile, who has attained the age of fourteen years at the time of the offense and who has been adjudicated delinquent based upon specified crimes, which generally include aggravated and forcible sexual crimes.

The state must make the electronic mail addresses and instant-message names collected for the sex offender registry available to any commercial or non-profit entity that:

- requests them; and

- promotes child safety, such as child-safety organizations that attempt to deter the sexual exploitation of children, educational institutions, and interactive computer services.

A person who is required to register and who is otherwise not prohibited from using a networking website, must include in his profile:

- an indication that he is a sex offender or child predator; and
- notice of the crime for which he was convicted, the jurisdiction, a description of his physical characteristics, and his residential address.

PASSIVE

Criminal justice agencies must generally release relevant and necessary information regarding sex offenders, child predators, and sexually violent predators to the public if releasing the information is necessary for public protection. The committee on parole may release information concerning any inmate under the jurisdiction of the board who is convicted of any sex offense or criminal offense against a minor, or who has been determined to be a sexually violent predator.

If requested in writing, the board must also send notice about a specific inmate convicted of a sex offense or a criminal offense against a minor, to:

- the victim of the crime, or if the victim is under 16 years of age, to his parents or legal guardian;
- any witnesses who testified against the sex offender; and

- any person specified in writing by the prosecuting attorney.

The Louisiana Bureau of Criminal Identification and Information must develop and maintain a central registry known as the "State Sex Offender and Child Predator Registry," which must:

- contain the offender and predator information transmitted to the bureau;
- be developed and maintained in accordance with the federal Adam Walsh Child Protection and Safety Act of 2006 and any related federal guidelines;
- provide for public access to the information contained in the registry, including internet-based access;
- have field-search capabilities that comply with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any related federal guidelines;
- provide for automatic e-mail notifications when an offender begins residence, employment, or school attendance within a certain geographic radius or zip code; and
- include participation in the Dru Sjodin National Sex Offender Registry.

Certain information, such as social security number, the victim's name, telephone numbers, and other specified information, is exempt from public access, but a person must be able to search by telephone number, e-mail address, online screen name, or other online identity to determine whether that information has been linked to a sex offender or child predator. However, the search may not disclose the name or any other identifying information about the offender.

Effective August 1, 2016, the bureau must, upon request, provide a list of telephone numbers, e-mail addresses, online screen names, static internet protocol addresses, or other online identities of persons in the registry for the purpose of identifying and monitoring a registered user associated with the telephone number or online identity. The information must not disclose the name or other identifying information of the sex offender associated with or using the telephone numbers or online identities in the provided list.

The bureau must provide technology that permits a social networking web site "to compare the database of registered users of that social networking web site to the list of electronic mail addresses, instant message addresses, and other similar online identifiers of persons in the State Sex Offender and Child Predator Registry."

Statutory section 15:549 amended 2008; §§ 15:546 and 15:547 amended 1997; § 15:542.1 amended 2012; §§ 15:542 and 15:542.1.5 amended 2016.

[La. Rev. Stat. §§ 15:542](#) (as amended by [2016 La. Acts ch. 375](#)), [:542.1](#), [:542.1.5](#) (as amended by [2016 La. Acts ch. 375](#)), [:546](#); [:547](#), [:549 \(2015\)](#)

Louisiana, Notification Triggers

A sex offender or an adult who has pled guilty to, been convicted of, or had an adjudication deferred or withheld for a sex offense or a criminal offense against a minor must give notice to at least one person in every residence or business within a one-mile radius in a rural area and a three-tenths of a mile radius in an urban or suburban area of the address of the residence at which the defendant will reside, including all adult residents of the offender's residence. He must also notify the superintendent of the school district in which the defendant will reside, and the superintendent must notify the principal of every school located within a one-mile radius of the offender's address.

The Louisiana "State Sex Offender and Child Predator Registry" must permit a person to request automatic e-mail notifications when an offender begins residence, employment, or school attendance within a certain geographic radius or zip code.

Statutory section 15:542.1 amended 2012; § 15:542.1.5 amended 2016.

[La. Rev. Stat. §§ 15:542.1, :542.1.5 \(2015\)](#) (as amended by [2016 La. Acts ch. 375](#))

Louisiana, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Every written lease, rental agreement, and contract for sale of residential property must contain a notice regarding the availability of public access to a statewide database disclosing the locations of individuals required to register as a sex offender. The notice must include the telephone number for and Internet site of the statewide database. Upon delivering the notice, a licensee need not provide any other information regarding the proximity of registered sex offenders.

Statutory section enacted 2001.

[La. Rev. Stat. § 37:1469 \(2015\)](#)

Louisiana, Registry Access

The Louisiana Bureau of Criminal Identification and Information must develop and maintain a central registry known as the "State Sex Offender and Child Predator Registry," which must:

- provide for public access to the information contained in the registry, including Internet-based access;
- have field-search capabilities that comply with the federal Adam Walsh Child Protection and Safety Act of 2006 and any related federal guidelines; and
- provide for automatic e-mail notifications when an offender begins residence, employment, or school attendance within a certain geographic radius or zip code.

A person must be able to search by telephone number, e-mail address, online screen name, or other online identity to determine whether that information has been linked to a sex offender or child predator. However, that search may not disclose the name or any other identifying information about the offender.

Statutory sections 15:546 and 15:547 amended 1997; § 15:542.1.5 amended 2016.

[La. Rev. Stat. §§ 15:542.1.5](#) (as amended by [2016 La. Acts ch. 375](#)), [:546](#), [:547 \(2015\)](#)

Louisiana, Sex Offender Categories

Although a Louisiana offender is not categorized into tiers that affects the offender's registration requirements, the duration of the registration requirement differs depending on the nature of the crime. For example, any of the following persons required to register must register and provide notification for their lifetime, even if granted a first-offense pardon, unless the underlying conviction is reversed, set aside, or vacated:

- a registrant convicted of an aggravated offense;
- a juvenile adjudicated for the offenses listed in § 15:542(A)(3); or
- a person with a prior conviction for an offense for which registration is required, who is subsequently convicted of another offense that requires registration.

The court, upon a motion and hearing, may order a registrant to register and notify for the offender's lifetime if the offender poses a substantial risk of committing another offense requiring registration.

Legislation enacted in 2014 also provides that the time periods for determining the registration and notification period end dates vary, based on the crime. For example,

- for an offender who is required to register as a sex offender or a child predator, the Department of Justice reviews the file at least 14 years from the conviction date; and
- for an offender who is required to register for a sexual offense against a minor, the Department of Justice reviews the file at least 24 years from the conviction date.

Statutory section 15:544 amended 2012; § 15:544.2 enacted 2014.

[La. Rev. Stat. §§ 15:544, :544.2 \(2015\)](#)

Louisiana, Sex Offender Registry Location

The Louisiana Bureau of Criminal Identification and Information maintains the central sex offender registry, which is known as the "State Sex Offender and Child Predator Registry." The state's public registry website is available at <http://www.lsp.org/socpr/default.html>.

Statutory section amended 2016.

[La. Rev. Stat. § 15:542.1.5 \(2015\)](#) (as amended by [2016 La. Acts ch. 375](#))

Maine

Maine, Government's Disclosure Format

OVERVIEW

Maine's "Sex Offender Registration and Notification Act of 2013" applies to a person who:

- "commits criminal conduct and is sentenced" in Maine on or after January 1, 2013, either as an adult or as a juvenile sentenced as an adult; and
- the criminal conduct is a Tier I, Tier II, or Tier III offense.

It also applies to certain persons who commit specified criminal conduct and are sentenced in another jurisdiction on or after January 1, 2013.

ACTIVE

Crimes committed before January 1, 2013

Upon a registrant's release or discharge, the Department of Public Safety must:

- forward the information to all law enforcement agencies with jurisdiction in those areas in which the registrant "may reside, work or attend college or school"; and
- give notice to members of the public or of a municipality that the department "determines appropriate to ensure public safety."

Certain law enforcement agencies were required to have established, no later than January 1, 2006, new policies for public notification regarding persons in the community required to register as sex offenders.

Crimes committed on or after January 1, 2013

The State Bureau of Identification must:

- distribute sex offender information to the Department of Public Safety and law enforcement agencies with jurisdiction over the registrant's domicile, residence, place of employment, and college or school, if applicable;
- establish an e-mail notification system to alert any member of the public "who has subscribed annually to the e-mail notification system when a registrant moves into the subscriber's geographic area"; and
- give notice to "members of the public the department determines appropriate to ensure public safety."

Upon receipt of information concerning a registrant's conditional release or discharge, a law enforcement agency must also notify "members of the public that the law enforcement agency determines appropriate to ensure public safety."

PASSIVE

Crimes committed before January 1, 2013

Certain sex offender registry information is available on the Internet.

"Sex offense" includes a violation in another jurisdiction that includes the essential elements of Maine offenses.

Crimes committed on or after January 1, 2013

After initial registration, the State Bureau of Identification must provide information to the public by posting on the internet specified information concerning Tier I, Tier II, or Tier III registrants. Also, upon receiving a written request that includes a registrant's name and birthdate, the bureau must provide the requestor with specified information.

Statutory sections 11254 and 11255 amended 2003; §§ 11272 and 11304 enacted 2012; §§ 11203 and 11221 amended 2013; §§ 11221, 11281, and 2803-B amended 2015.

[Me. Rev. Stat. tit. 34-A, §§ 11203, 11221, 11254, 11255, 11272, 11281, 11304; tit. 25, § 2803-B \(2015\)](#)

Maine, Notification Triggers

Crimes committed before January 1, 2013

No specific notification triggers were located. The Department of Public Safety forwards the sex offender information upon request and to those members of the public that the department determines appropriate to ensure public safety.

Crimes committed on or after January 1, 2013

The State Bureau of Identification must alert any member of the public "who has subscribed annually to the e-mail notification system when a registrant moves into the subscriber's geographic area."

Upon receiving a written request that includes a registrant's name and birthdate, the bureau must provide the requestor with certain additional information, including the offender's photograph.

Statutory section 11255 amended 2003; §§ 11221 and 11281 amended 2015.

[Me. Rev. Stat. tit. 34-A, §§ 11255, 11221, 11281 \(2015\)](#)

Maine, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender. However, real estate

disclosure statutes generally provide that a seller's agent must treat a prospective buyer honestly and may not knowingly give false information.

Statutory section amended 2005.

See [Me. Rev. Stat. tit. 32, § 13273\(2\) \(2015\)](#)

Maine, Registry Access

Crimes committed before January 1, 2013

The State Bureau of Identification must provide information to the public as follows:

- by posting on the Internet for public inspection the sex offender registrant's name, birth date, photograph, domicile, residence, name and address of place of employment and college or school being attended, the statutory citation and name of the offense, and, effective September 27, 2011, the registrant's designation as a 10-year or lifetime registrant; and
- upon receipt of a written request that includes the registrant's name and birth date, the bureau must provide the registrant's name, aliases, birth date, sex, race, height, weight, eye color, mailing address and physical location of domicile and residence, name and address of his place of employment and college or school being attended, the offense, the conviction date, the sentence imposed; and the registrant's photograph.

A law enforcement agency may maintain its own sex offender website and make it available to the public if:

- the agency prominently posts a notice on the website that it is not the official state sex offender registry and that the agency is solely responsible for the website's content; and

- the website provides a link to the bureau's Internet sex offender registry.

Crimes committed on or after January 1, 2013

After initial registration, the State Bureau of Identification must provide information to the public as follows:

- by posting on the Internet for public inspection a Tier I, II, or III sex offender registrant's name, aliases, birth date, photograph, domicile, and residence; the name and address of place of employment and college or school being attended; the offense's statutory citation and name; whether the registrant is a Tier I, II, or III registrant; verification requirements and date of last verification; and the registrant's address and location on a map; and
- upon receipt of a written request that includes the registrant's name and birth date, the bureau must provide the registrant's name, aliases, birth date, sex, race, height, weight, eye color, mailing address and physical location of domicile and residence; the name and address of his place of employment and college or school being attended; the offense, conviction date, and sentence imposed; and the registrant's photograph.

Only the State Bureau of Identification is authorized to maintain a publicly accessible sex offender registry on the Internet. However, a law enforcement agency may maintain its own sex offender website and make that information available to the public if it:

- provides specified notices regarding the nature and acceptable uses of the website and a link to the bureau's website;
- provides information regarding only registrants within the enforcement agency's jurisdiction; and

- updates the site at least every seven days.

Statutory sections amended 2015.

[Me. Rev. Stat. tit. 34-A, §§ 11221, 11281 \(2015\)](#)

Maine, Sex Offender Categories

Crimes committed before January 1, 2013

The Department of Public Safety must give each sex offender registrant a risk assessment rating for notification purposes.

Crimes committed on or after January 1, 2013

For persons sentenced on or after January 1, 2013, offenders are categorized according to the severity of their crimes.

Tier I

A Tier I offense includes a conviction for a Class E or Class D crime or for an attempt, solicitation, or conspiracy to commit certain Class E, Class D or Class C crimes if the victim was less than 18 years of age (unless otherwise specified). See Me. Rev. Stat. § 11273(14) for a list of Tier I crimes.

Generally, a Tier I offender must register for 10 years and must verify registration information annually.

Tier II

A Tier II offense includes certain convictions for a Class C crime or for an attempt, solicitation, or conspiracy to commit a specified Class B crime if the victim was less than 18 years of age (unless otherwise specified). See Me. Rev. Stat. § 11273(15) for a list of Tier II crimes.

Generally, a Tier II offender must register for 25 years and must verify registration information every six months.

Tier III

A Tier III offense includes certain convictions for a Class B or Class A crime or for an attempt, solicitation, or conspiracy to commit a Class A crime. See Me. Rev. Stat. § 11273(16) for a list of Tier III crimes.

Generally, an offender convicted and sentenced for a Tier III offense must register for life and must verify registration information every three months.

A person who has been convicted and sentenced at any time for two or more Tier I or Tier II offenses must register as a Tier III registrant.

Statutory section 11253 amended 2003; §§ 11273, 11282, and 11285 amended 2015.

[Me. Rev. Stat. tit. 34-A §§ 11253, 11273, 11282, 11285 \(2015\)](#)

Maine, Sex Offender Registry Location

Crimes committed before January 1, 2013

The State Bureau of Identification maintains the sex offender registry. A law enforcement agency may maintain its own sex offender website and make it available to the public if:

- the agency prominently posts a notice on the website that it is not the official state sex offender registry and that the agency is solely responsible for the website's content; and
- the website provides a link to the bureau's Internet sex offender registry.

The state's public registry website is available at <http://sor.informe.org/sor/>.

Crimes committed on or after January 1, 2013

The State Bureau of Identification must establish and maintain the sex offender registry.

Only the State Bureau of Identification is authorized to maintain a publicly accessible sex offender registry on the Internet. However, a law enforcement agency may maintain its own sex offender website and make that information available to the public if it:

- provides specified notices regarding the nature and acceptable uses of the website and a link to the bureau's website;
- provides information regarding only registrants within the enforcement agency's jurisdiction; and
- updates the information at least every seven days.

The state's public registry website is available at <http://sor.informe.org/sor/>.

Statutory section 11203 amended 2013; §§ 11221 and 11281 amended 2015.

[Me. Rev. Stat. tit. 34-A §§ 11203, 11221, 11281 \(2015\)](#)

Maryland

Maryland, Government's Disclosure Format

ACTIVE

The local law enforcement unit *must* send written notice of sex offender registration statements to the following, among other officials:

- notice of a Tier I, II, or III sex offender or a sexually violent predator to the Department of Public Safety;
- notice of a sex offender to the county superintendent and all nonpublic primary and secondary schools in the county that are located within one mile of the offender's residence, the place the offender habitually lives, or the location at which an offender who is not a Maryland resident is a transient or will work or attend school (the county superintendent must send written notice to the principals of the schools under the superintendent's supervision that the superintendent considers necessary to protect students from the offender); and
- notice to the police department of a municipal corporation in which the registrant habitually lives after release, or if the registrants escapes from a facility, in which he resided before being committed.

A local law enforcement unit *may* notify the following that are in the community in which a sex offender is to reside or habitually live or in which a sex offender who is not a Maryland resident will work or attend school:

- registered or licensed family child care homes or child care centers;

- child recreation facilities;
- faith institutions; and
- "other organizations that serve children and other individuals vulnerable to sex offenders who victimize children."

As soon as possible after receiving notice of a registrant's address or name change, the Department *must* notify:

- if the registration is premised on a conviction under federal, military, or Native American tribal law, the designated federal unit and to the local law enforcement unit of the county in which the new residence is located;
- if the new residence is in a different state, the designated law enforcement unit in that state; and
- the campus police agency of any institution of higher education at which the registrant is beginning or terminating enrollment or employment, and the institution of higher education may disclose the information as determined necessary.

The Department of Public Safety or a local law enforcement unit may notify a person of a sex offender registration statement, if it finds that the notice is necessary to protect the public from a specific registrant.

Generally, the supervising authority must also send a copy of a registration statement to:

- each victim; or
- if the victim is a minor, the victim's parents or legal guardian.

PASSIVE

Upon request, the supervising authority must send a copy of the statement to:

- each witness who testified against the registrant;
- each person specified in writing by the state's attorney;
- each person who requests in writing about a specific registrant; or
- pursuant to a notification request form filed under § 11-104.

Also, upon written request to a local law enforcement unit, the unit must send to the person who submitted the request “one copy of the registration statement of each registrant on record with the unit.” Each request must contain the name and address of the person who submitted the request, the reason for the request, and the fee provided by regulation.

The Department must also make available to the public registration statements or information about registration statements. Effective October 1, 2010, the department must provide information regarding the out-of-state registration status for each registrant who is also registered in another state, as available through a national sex offender public registry website.

The Department must post on the Internet:

- a current listing of each registrant's name and other identifying information; and

- in plain language, a factual description of the offender's crime, excluding details that would identify the victim.

Statutory sections 11-710, 11-717, and 11-718 amended 2010; §§ 11-715 and 11-716 amended 2001; § 11-709 amended 2011. Regulation adopted 2002.

[Md. Code, Crim. Proc. §§ 11-709, -710, -715, -716, -717, -718 \(2016\)](#); Md. Code Regs. 12.06.01.09 (2015)

Maryland, Notification Triggers

The following trigger active notification to certain entities and members of the general public:

- being a principal of a school that the county superintendent determines must receive notice in order to protect the school's students from a sex offender;
- being a campus police agency of an institution of higher education where the registrant is beginning or terminating enrollment or employment (the institution may disclose information provided to it);
- being a person that the Department of Public Safety or a local law enforcement unit finds must receive notice in order to protect the public from a specific registrant; or
- being one of the specified entities listed in 11-709.

Statutory section 11-718 amended 2010; § 11-709 amended 2011.

[Md. Code, Crim. Proc. §§ 11-709, -718 \(2016\)](#)

Maryland, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations addressing whether a licensee must disclose the proximity of a sex offender.

Maryland, Registry Access

A person may obtain access to the registry by submitting a written request about a specific registrant or filing a notification request form. A person may also obtain a copy of the registration statement of each registrant on record by a request containing the name and address of the person submitting the request, the reason for the request, and the fee provided by regulation. Also, the department must make registration statements or information available to the public.

The department must post on the Internet a current listing of each registrant's name and other identifying information and a plain language factual description of the offender's crime, excluding details that would identify the victim.

Statutory sections 11-715 and 11-716 amended 2001; § 11-717 amended 2010.

[Md. Code, Crim. Proc. §§ 11-715, -716, -717 \(2016\)](#)

Maryland, Sex Offender Categories

Maryland categorizes sex offenders into the following tiers:

- a "Tier I sex offender," who must register for 15 years, is a person who has been convicted of conspiring to commit, attempting to commit, or committing a violation of certain lesser sexual offenses, such as a specified sexual offenses in the fourth degree, specified crimes involving visual surveillance if the victim is a minor, misleading domain names, misleading words or digital images on the Internet, certain sex trafficking crimes, and other similar specified crimes;

- a "Tier II sex offender," who must register for 25 years, is a person who has been convicted of conspiring to commit, attempting to commit, or committing a violation of certain moderately serious crimes, such as statutory rape, soliciting a minor, an offense that would require the person to register as a Tier I sex offender after the person was already registered as a tier I sex offender, and other specified crimes; and
- a "Tier III sex offender," who must register for life, is a person who has been convicted of the most serious sex crimes, such as specified murders, rapes, and other offenses committed with force or threat of force, among other serious offenses.

Also, if a person is convicted of a sexually violent offense, the State's Attorney may ask the court to determine whether the person is a sexually violent predator, in which case the registration statement must include additional information.

Statutory sections 11-703, 11-706, and 11-707 amended 2010; § 11-701 amended 2012.

[Md. Code, Crim. Proc. §§ 11-701, -703, -706, -707 \(2016\)](#)

Maryland, Sex Offender Registry Location

The Department of Public Safety Sex Offender Registry Unit maintains a central registry of sexual offender registrants and a listing of juvenile sex offenders. The state's public registry website is available at <http://www.socem.info/>.

Statutory section amended 2013. Regulation adopted 2002.

[Md. Code, Crim. Proc. § 11-713 \(2016\)](#); Md. Code Regs. 12.06.01.08 (2015)

Massachusetts

Massachusetts, Government's Disclosure Format

ACTIVE

Notification by the Board

The Massachusetts Sex Offender Registry Board must notify:

- police departments in the municipalities in which the sex offender intends to live, work, or attend an institution of higher learning and in which the offense was committed;
- the F.B.I; and
- if the sex offender is a juvenile, his legal guardian or agency with custody and his most recent attorney.

The police or the board may actively disseminate certain information pertaining to a level 3 offender in the time and manner the police department or Board deems reasonably necessary, and may, in its discretion, require additional active notification deemed necessary to protect the public.

Notification by the police

Police must actively notify community organizations and individual members of the public that are likely to encounter a level 3 sex offender or a sexually violent predator. Neighboring police districts must share level 3 sex offender registration information and may inform the residents of their municipality of a sex offender who the residents are likely to encounter and who resides in an adjacent city or town.

Police departments must actively disseminate information for Level 3 sex offenders annually. If an offender is designated a sexually violent predator, community notification must occur:

- every 90 days; and
- every time the offender changes his or her home, secondary, or work address; or
- every time the offender enrolls as a student.

For a level 3 offender or a sexually violent predator, the police must notify:

- community organizations that are likely to encounter the offender or predator;
- individual members of the public who are likely to encounter the offender or predator; and
- all schools in the community.

The police chief may notify other organizations as deemed necessary to protect the public.

Community notification methods

The methods of community notification may include, but are not limited to:

- publication in local newspapers;

- a public announcement on local cable television; and
- posting in the city hall, libraries, and similar publicly accessible areas.

PASSIVE

Personal inquiries for Level 2 and level 3 offender information

A person has access to level 2 and level 3 sex offender registry information, provided he or she:

- is 18 years of age or older;
- appears in person at the police station;
- presents proper identification;
- states that he requires sex offender registry information to protect himself, a child under 18, or another person for whom the inquirer has responsibility; and
- completes and signs an inquiry record.

The person making the inquiry may:

- identify a specific individual by name or provide sufficient personal identifying information;
- inquire whether any sex offenders live, work, or attend an institution of higher learning within the same city or town as a specific address;
- inquire in another city or town whether any sex offenders live or work within a city or town, upon a reasonable showing that requester needs the information to protect himself, a child under 18, or another person for whom he has responsibility; or
- inquire whether any sex offenders live, work, or attend an institution of higher learning on a specific street.

Level 1 offender information

The public does not have access to sex offender registry information pertaining to level 1 offenders.

Internet access to Level 3 sex offender information

The Board must make specified information pertaining to all Level 3 Offenders available for inspection by the general public at any time without charge or subscription on the Board's internet website through a database known as the "Sex Offender Internet Database." The Sex Offender Internet Database website is separate from the Sex Offender Registry. The information contained in the Sex Offender Internet Database does *not* include the following:

- information regarding unclassified or Level 1 sex offenders and any Level 2 sex offender finally classified before July 12, 2013;

- victims' names, addresses, or relation to Level 2 and Level 3 sex offenders; and
- requests for registration data under §§ 178I and 178J.

The Sex Offender Internet Database must include:

- a warning explaining the criminal penalties for use of sex offender registry information to commit a crime or to engage in illegal discrimination or harassment; and
- the punishment for threatening to commit a crime.

Victims

Upon the request of a victim who has enrolled with the Board's Victim Services Unit, the Board may inform the victim of the offender's final registration and classification.

Statutory section 178I amended 1999; § 178J amended 2008; § 178K amended 2013.
Regulatory chapter amended 2016.

[Mass. Gen. Laws ch. 6, §§ 178I, 178J, 178K \(2016\); Mass. Regs. Code tit. 803, §§ 1.04, 1.26, 1.27, 1.28 \(2016\)](#)

Massachusetts, Notification Triggers

The police department must actively notify organizations and individual members of the public in the community that are likely to encounter a Level 3 sex offender or a sexually violent predator.

Regulatory chapter amended 2016.

[Mass. Regs. Code tit. 803, § 1.28 \(2016\)](#)

Massachusetts, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Massachusetts, Registry Access

Personal inquiries

A person has access to level 2 and level 3 sex offender registry information, provided he or she:

- is 18 years of age or older;
- appears in person at the police station;
- presents proper identification;
- states that he requires sex offender registry information to protect himself, a child under 18, or another person for whom the inquirer has responsibility; and
- completes and signs an inquiry record.

The person making the inquiry may:

- identify a specific individual by name or provide sufficient personal identifying information;
- inquire whether any sex offenders live, work, or attend an institution of higher learning within the same city or town as a specific address;
- inquire in another city or town whether any sex offenders live or work within a city or town, upon a reasonable showing that requester needs the information to protect himself, a child under 18, or another person for whom he has responsibility; or
- inquire whether any sex offenders live, work, or attend an institution of higher learning on a specific street.

The public does not have access to sex offender registry information regarding level 1 offenders.

Internet access to Level 3 sex offender information

The Board must make specified information pertaining to all Level 3 Offenders available for inspection by the general public at any time without charge or subscription on the Board's internet website through a database known as the "Sex Offender Internet Database." The Sex Offender Internet Database website is separate from the Sex Offender Registry. The information contained in the Sex Offender Internet Database does *not* include the following:

- information regarding unclassified or Level 1 sex offenders and any Level 2 sex offender finally classified before July 12, 2013;
- victims' names, addresses, or relation to Level 2 and Level 3 sex offenders; and

- requests for registration data under §§ 178I and 178J.

The Sex Offender Internet Database must include:

- a warning explaining the criminal penalties for use of sex offender registry information to commit a crime or to engage in illegal discrimination or harassment; and
- the punishment for threatening to commit a crime.

Statutory section 178I amended 1999; § 178J amended 2008. Regulatory chapter amended 2016.

[Mass. Gen. Laws ch. 6, §§ 178I, 178J \(2016\); Mass. Regs. Code tit. 803, §§ 1.27, 1.28 \(2016\)](#)

Massachusetts, Sex Offender Categories

A sex offender registry board applies one of the following three levels of risk to each sex offender:

- level 1, if the risk of repeated offense is low and the "degree of dangerousness to the public is not such that a public safety interest is served by public availability" of the information;
- level 2, if the risk of repeated offense is "moderate and the degree of dangerousness posed to the public is such that a public safety interest is served by public availability of registration information";

- level 3, if the risk of repeated offense is high and the degree of dangerousness is such that a "substantial public safety interest" is served by active dissemination of information; or
- level 3 with sexually violent predator status, if appropriate.

Statutory section amended 2013.

[Mass. Gen. Laws ch. 6, § 178K \(2016\)](#)

Massachusetts, Sex Offender Registry Location

The sex offender registry board maintains a central computerized registry of all registered sex offenders. The state's public registry website is available at <http://www.mass.gov/eopss/agencies/sorb/>.

Statutory section amended 2013.

[Mass. Gen. Laws ch. 6 § 178D \(2016\)](#)

Michigan

Michigan, Government's Disclosure Format

ACTIVE

The state police department must notify by electronic or computerized means any member of the public "who has subscribed in a manner required by the department." The notification must occur when a registered sex offender initially registers or changes his or her registration to a location that is in "a designated area or geographic radius" the subscribing person designates.

PASSIVE

The state police department maintains a law enforcement database and a public internet website. The public internet website must make certain information, as set forth in § 28.728(2), available to the public. Certain offenders, such as specified individuals registered only because they have been convicted of a single tier I offense, are not included on the public internet website.

The department must make the public internet website available to the public by electronic or computerized means. The website must be searchable by:

- an institution of higher education's name and campus location;
- name;
- village, city, township, and county designation;
- zip code; and
- geographical area.

The department post, local law enforcement agency, or sheriff's department must also make information from the public internet website for the designated areas located in the entity's jurisdiction available for public inspection during regular business hours. The entity is not required to make a copy of the information.

Statutory section 28.730 amended 2011; § 28.728 amended 2013.

[Mich. Comp. Laws §§ 28.728, .730 \(2016\)](#)

Michigan, Notification Triggers

The state police department must notify by electronic or computerized means any member of the public "who has subscribed in a manner required by the department." The

department must send the notification when a registered sex offender initially registers or changes his or her registration to a location that is in "a designated area or geographic radius" the subscribing person designates.

Statutory section amended 2011.

[Mich. Comp. Laws § 28.730 \(2016\)](#)

Michigan, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

An action may not be brought against a real estate licensee for failing to disclose information from the sex offender registry.

Statutory section amended 1998.

[Mich. Comp. Laws § 339.2518 \(2016\)](#)

Michigan, Registry Access

The state police department maintains a law enforcement database and a public internet website. The public internet website must make certain information, as set forth in § 28.728(2), available to the public. Certain offenders, such as specified individuals registered only because they have been convicted of a single tier I offense, are not included on the public internet website.

The department must make the public internet website available to the public by electronic or computerized means. The website must be searchable by:

- an institution of higher education's name and campus location;
- name;

- village, city, township, and county designation;
- zip code; and
- geographical area.

The department post, local law enforcement agency, or sheriff's department must also make information from the public internet website for the designated areas located in the entity's jurisdiction available for public inspection during regular business hours. The entity is not required to make a copy of the information.

Statutory section 28.730 amended 2011; § 28.728 amended 2013.

[Mich. Comp. Laws §§ 28.728, .730 \(2016\)](#)

Michigan, Sex Offender Categories

Michigan categorizes its sex offenders as follows:

- a "Tier I offender," who generally must register for 15 years, includes an offender convicted of specified less serious offenses, such as possession of "child sexually abusive material," certain indecent exposure crimes if the victim is a minor, unlawful imprisonment if the victim is a minor, and criminal sexual conduct in the fourth degree if the victim is an adult, among others;
- a "Tier II offender," who generally must register for 25 years, includes a tier I offender who is subsequently convicted of another tier I offense and an offender convicted of a moderately serious offense, such as accosting or soliciting a child for immoral purposes, production or promotion of child sexually abusive material, certain crimes "against nature," and pandering, among others; and

- a "Tier III offender," who generally must register for life, includes a tier II offender who is subsequently convicted of a tier I or tier II offense and an offender convicted of a serious offense, such as gross indecency with an individual less than 13 years of age, kidnapping a minor, and criminal sexual conduct in the first degree, among other serious crimes.

Statutory section 28.725 amended 2011; § 28.722 amended 2014.

See [Mich. Comp. Laws §§ 28.722, .725 \(2016\)](#)

Michigan, Sex Offender Registry Location

The State Police Department maintains a computerized database of sex offender registrations and notices. The state's public registry website is available at <http://www.mipsor.state.mi.us/>.

Statutory section 28.728 amended 2013; § 28.722 amended 2014.

[Mich. Comp. Laws §§ 28.722\(b\), .728\(1\) \(2016\)](#)

Minnesota

Minnesota, Government's Disclosure Format

ACTIVE

The law enforcement agency in the area in which a predatory offender resides, is employed, or is regularly found, must disclose information regarding the offender to the public, as is relevant and necessary to protect the public and to “counteract the offender's dangerousness.” The agency must apply the following guidelines in determining the scope of disclosure:

- for a level I offender, the agency *may* disclose the information to other law enforcement agencies and any victims or witnesses, and *must* disclose information

to victims who have requested disclosure and to adult members of the offender's household;

- for a level II offender, the agency may also disclose information to “agencies and groups that the offender is likely to encounter for the purpose of securing those institutions and protecting individuals in their care while they are on or near the premises of the institution,” and may disclose information to individuals the agency believes the offender may victimize;
- for a level III offender, the agency must disclose the information to the persons and entities that must be notified of level I and level II offenders, and to other community members that the offender is likely to encounter, unless “the law enforcement agency determines that public safety would be compromised by the disclosure” or that a more limited disclosure is necessary to protect the victim’s identity.

The law enforcement agency located in an area in which a health care facility is located must disclose the registrant status of any predatory offender to the health care facility if the registrant is receiving inpatient care at the facility.

A law enforcement agency may not make the permitted or required disclosures for a level II or III offender during the time the offender is residing in a residential facility.

When a school, day care facility, or other entity or program that "primarily educates or serves children" receives notice that a level III predatory offender resides or works in the surrounding community and if the predatory offender is participating in programs that require or allow the person to interact with children other than that person's children, the principal (or head of the entity) must notify parents with children at the facility of the contents of the notice.

Before a sex offender is placed on conditional release, the commissioner must "make reasonable efforts" to notify the offender's victim of the terms of the offender's conditional release.

PASSIVE

The Corrections Department commissioner must maintain an Internet web site containing information about level III offenders.

Statutory sections amended 2013.

[Minn. Stat. §§ 244.052, subds. 4, 4b; 609.3455 \(2015\)](#)

Minnesota, Notification Triggers

Generally, the extent of information disclosed and the community to whom law enforcement agencies actively disclose information relates to the:

- danger posed by the offender;
- offender's behavior patterns; and
- community members' need for information to enhance "their individual and collective safety."

More specifically, for level II offenders, the agency may disclose information to individuals the agency believes are likely to be victimized by the offender, basing the determination on "the offender's pattern of offending or victim preference." For level III offenders, the agency must disclose information to community members that the offender is likely to encounter. The phrase "likely to encounter" includes:

- organizations or community members that are "in a location or in close proximity to a location where the offender lives or is employed, or which the offender visits

or is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program”;

- interactions that “ordinarily occur at that location”; and
- other circumstances that indicate that “contact with the offender is reasonably certain.”

When a school, day care facility, or other entity or program that "primarily educates or serves children" receives notice that a level III predatory offender resides or works in the surrounding community and if the predatory offender is participating in programs that require or allow the person to interact with children other than that person's children, the principal (or head of the entity) must notify parents with children at the facility of the contents of the notice.

Statutory section amended 2013.

[Minn. Stat. § 244.052, subds. 4, 4b \(2015\)](#)

[Minnesota, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Neither a licensee nor a licensee's employee has a duty to disclose information regarding an offender who is required to register as a predatory offender (or about whom notification is made under that section), if the licensee provides a timely written notice that "information about the predatory offender registry and persons registered with the registry may be obtained by contacting local law enforcement where the property is located or the Department of Corrections."

Statutory section amended 2014.

[Minn. Stat. § 82.68 \(2015\)](#)

Minnesota, Registry Access

The general public may access the Internet web site containing information about level III offenders.

Statutory section amended 2013.

[Minn. Stat. § 244.052, subd. 4b \(2015\)](#)

Minnesota, Sex Offender Categories

The Corrections Department commissioner has a risk assessment scale that specifies a risk level to be assigned to offenders with various risk-assessment scores. Generally, an end-of-confinement review committee assigns:

- risk level I to an offender whose risk-assessment score indicates a low risk of reoffense;
- risk level II to an offender whose risk-assessment score indicates a moderate risk of reoffense; and
- risk level III to an offender whose risk-assessment score indicates a high risk of reoffense.

Statutory section amended 2013.

[Minn. Stat. § 244.052, subds. 2, 3, 3A \(2015\)](#)

Minnesota, Sex Offender Registry Location

The Corrections Department maintains the Internet web site containing information about level III offenders. The state's public registry website is available at <http://www.doc.state.mn.us/level3/search.asp>.

Statutory section amended 2013.

[Minn. Stat. § 244.052, subd. 4b \(2015\)](#)

Mississippi

Mississippi, Government's Disclosure Format

ACTIVE

The Department of Public Safety *must* immediately provide sex offender information to:

- the National Sex Offender Registry or other appropriate databases;
- the sheriff of the county and the chief law enforcement officer of any other jurisdiction in which the offender resides, lodges, is an employee, or is a student;
- the sheriff of the county and the chief law enforcement officer of any other jurisdiction in which or to which a change of residence, employment, or student status occurs;
- the Department of Human Services and other social service entities responsible for protecting minors in the child welfare system;
- the probation agency supervising the sex offender;
- an agency responsible for conducting employment-related background checks;

- each school and public housing agency in each jurisdiction in which the sex offender resides, is an employee, or is a student;
- all prosecutor offices in each jurisdiction in which the sex offender resides, is an employee, or is a student; and
- other agencies with criminal investigation, prosecution, or sex offender supervision functions in each jurisdiction in which the sex offender resides, is an employee, or is a student.

The Mississippi Department of Education, Private School Association and Department of Health must notify all schools and licensed day care centers annually regarding the availability of sex offender information upon request. Law enforcement officers may:

- notify members of the public exposed to danger of any circumstances or individuals that pose a danger; and
- provide community notification of any circumstances or individuals that pose or could pose a danger under circumstances that are not enumerated by statute.

Any organization (presumably including any government-related organization) that accepts volunteers who are convicted of a sex offense and who will have direct, private and unsupervised contact with minors, must notify parents or guardians of any minors involved in the organization of the offender's criminal record.

Electronic notification is available via the Internet to:

- all law enforcement agencies;

- any volunteer organizations in which contact with minors or vulnerable adults might occur; and
- any organization, company, or individual who requests notification pursuant to procedures established by the Department of Public Safety.

As of July 1, 2015, local jurisdictions that receive notification and "have the ability" *may* notify residents by using a website, social media, print media, or e-mail or by providing a link to the Department of Public Safety website, when a sex offender "begins residing, lodges, becomes employed, volunteers or attends school or intends to reside, lodge, work, attend school or volunteer in the area."

PASSIVE

Sex offender records must be open to law enforcement agencies, which may release "relevant and necessary" information regarding sex offenders to the public. The sheriff and the department must make available certain information regarding a sexual offender to any person upon request. The department may use an Internet web site or other electronic means to release the information.

The Department of Public Safety must maintain an Internet site "in a manner that will permit the public to obtain relevant information for each sex offender in the registry." The site must permit the public to obtain information for each offender by a single query for any given zip code or geographic radius, such as a municipality or a county. The Department of Public Safety must also participate in the "Dru Sjodin National Sex Offender" public website.

Statutory section 45-33-32 enacted 2004; § 45-33-49 amended 2011; §§ 45-33-36 and 45-33-47 amended 2013.

Miss. Code §§ 45-33-32, -36, -47, -49 (LexisNexis 2016)

[Mississippi, Notification Triggers](#)

Mississippi laws do not specifically delineate notification triggers to the general public. Generally, law enforcement officers may notify members of the public who are exposed to danger.

Statutory section amended 2011.

Miss. Code § 45-33-49 (LexisNexis 2016)

[Mississippi, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

[Mississippi, Registry Access](#)

Information on registered offenders is available on the state registry web site and is available at local law enforcement agencies and the Department of Public Safety. All records are open to law enforcement agencies. Certain information is available to the public from the sheriff or department upon request.

The Department of Public Safety must maintain an Internet site "in a manner that will permit the public to obtain relevant information for each sex offender in the registry." The site must permit the public to obtain information for each offender by a single query for any given zip code or geographic radius, such as a municipality or a county. The Department of Public Safety must also participate in the "Dru Sjodin National Sex Offender" public website.

Statutory section 45-33-49 amended 2011.

Miss. Code § 45-33-49 (LexisNexis 2016)

[Mississippi, Sex Offender Categories](#)

Mississippi categorizes sex offenders into the following tiers:

- Tier One, which requires registration for at least 15 years, includes less serious offenses, such as dissemination of sexually oriented material to children and voyeurism if the victim is less than 16 years of age, misdemeanor sexual intercourse between a teacher and a student, and obscene electronic communication;
- Tier Two, which requires registration for at least 25 years, includes moderately serious offenses, such as "unnatural intercourse," filming without permission where there is an expectation of privacy, and others; and
- Tier Three, which generally requires lifetime registration, includes the most serious offenses, such as rape, sexual battery, the more serious offenses related to the exploitation of children, kidnapping if the victim is under the age of 18, sexual servitude of a minor, capital murder if the underlying crime is a specified sexual offense, and others.

Statutory section amended 2013.

Miss. Code § 45-33-47 (LexisNexis 2016)

Mississippi, Sex Offender Registry Location

The Mississippi Department of Public Safety maintains a central registry of sex offender information. The state's public registry website is available at <http://state.sor.dps.ms.gov/>.

Statutory section amended 2015.

Miss. Code § 45-33-35(1) (LexisNexis 2016)

Missouri

Missouri, Government's Disclosure Format

ACTIVE

No active notification provisions were located.

PASSIVE

Any person may request from the county's chief law enforcement official a complete list of the offender's names, addresses and crimes for which such offenders are registered.

The highway patrol, subject to appropriation, must operate a toll-free telephone number to disseminate sex offender registration information and to receive information regarding the residency of registered sex offenders. The available information may include only the information that offenders are required to provide under § 589.407. The highway patrol must publish the toll-free telephone number on its sexual offender registry website.

Statutory section 589.417 amended 1999; § 43.533 enacted 2006.

[Mo. Ann. Stat. §§ 43.533; 589.417 \(2015\)](#)

[Missouri, Notification Triggers](#)

No notification triggers exist because Missouri law requires no active notification to the general public.

[Missouri, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

[Missouri, Registry Access](#)

A member of the public may request from the county's chief law enforcement official a list of the sexual offenders registered within that county. Otherwise, the complete statements, photographs and fingerprints are not public records and are available only to courts, prosecutors and law enforcement agencies.

The chief law enforcement officer of "the county or city not within a county" may maintain an Internet web page, which must be open to the public and include a registered sexual offender search capability. The search capability must make it possible for any person using the Internet to search for and find the following information regarding persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses:

- the offender's name and any known aliases;
- the offender's date of birth and any known alias dates of birth;
- the offender's physical description;
- the offender's last known addresses;
- the offender's photograph;
- a physical description of the offender's vehicles;
- the nature and dates of the offender's offenses;
- the offender's release date;
- the offender's compliance status; and
- any online identifiers used by the offender.

Online identifiers are not included in an offender's general profile, but are available to the public by a search using the specific online identifier.

A chief law enforcement officer may publish in any newspaper distributed in the county or city the sexual offender information for any offender residing in the county or city.

The highway patrol, subject to appropriation, must operate a toll-free telephone number to disseminate sex offender registration information and to receive information regarding the residency of registered sex offenders. The highway patrol must publish the toll-free telephone number on its sexual offender registry website.

Statutory section 589.417 amended 1998; § 589.402 amended 2008; § 43.533 enacted 2006.

[Mo. Ann. Stat. §§ 43.533; 589.417, .402 \(2015\)](#)

Missouri, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized according to the dangers they pose. Although Missouri statutes identify persistent and predatory sex offenders, the categories do not change the notification requirements.

Statutory section amended 2014.

See [Mo. Ann. Stat. § 558.018 \(2015\)](#) (to be renumbered as [§ 566.125](#), effective January 1, 2017)

Missouri, Sex Offender Registry Location

The Missouri State Highway Patrol maintains the sex offender registry on the Missouri uniform law enforcement system (MULES). The state's public registry website is available at <http://www.mshp.dps.mo.gov/CJ38/search.jsp>.

Statutory section amended 2002.

[Mo. Ann. Stat. § 589.410 \(2015\)](#)

Montana

Montana, Government's Disclosure Format

ACTIVE

Sex offender information is confidential criminal justice information, except that:

- the name and address of a registered sexual or violent offender are public criminal justice information; and
- the department of justice or the registration agency must release relevant offender registration information to the public if the department or the agency determines that a registered offender is a risk to the community's safety and that disclosure of the information may protect the public.

As of May 11, 2007,

- if the offender is also a violent offender, the department of justice must, and the registration agency may, disseminate to the victim and the public the offender's name and the offenses for which the offender is required to register;
- for a level 1 offender, the department of justice must, and the registration agency may, disseminate to the victim and the public the above information and the offender's address, photograph, physical description, and birthdate;

- for a level 1 offender who committed an offense against a minor or a level 2 offender, the department of justice must, and the registration agency may, disseminate to the victim and the public the above information and the type of victim targeted, the offender's license plate number, a description of the offender's vehicle, and any conditions imposed by the court for the public's safety; and
- for a level 3 offender, the department of justice and the registration agency must notify and distribute to the victim and the public the above information, the offender's release date, or, if not confined, the date the offender was sentenced, and the community in which the offense occurred.

Also, dissemination of the above information may be by "newspaper, paper flyers, the internet, or any other media determined by the disseminating entity," considering the risk level posed. The department of justice must develop a model community notification policy to assist registration agencies in disseminating information.

As of July 1, 2013, the previously applicable requirement that the youth court must provide notice to the school superintendent that a youth who is a level 3 sexual offender presently attends or has applied to attend the school, has been deleted from the state's statutes.

PASSIVE

The department of justice and the registration agency may disseminate sex offender information to the public on the Internet.

Statutory section 46-23-508 amended 2009; § 41-5-215 amended 2013.

[Mont. Code Ann. §§ 41-5-215; 46-23-508 \(2015\)](#)

Montana, Notification Triggers

The department of justice or the registration agency conduct community notification. The department of justice or the registration agency must release offender registration information to the public if the department or the agency determines that a registered

offender is a risk to the community's safety and that disclosure of the information may protect the public. Also, the department of justice *must* disseminate information and the registration agency *may* disseminate information if the offender is a violent offender, a level 1 offender, a level 1 offender who committed an offense against a minor, or a level 2 offender. Both the department of justice and the registration agency must disseminate information for a level 3 offender. However, Montana law does not define the "community" or "public" to be notified.

Statutory section amended 2009.

[Mont. Code Ann. § 46-23-508 \(2016\)](#)

Montana, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

A real estate licensee's responsibility with respect to sexual or violent offender registration information is limited to disclosing:

- the fact that information "may be maintained and by whom"; and
- any actual knowledge that the licensee has of sexual or violent offender registration information that pertains to the property.

Statutory section enacted 1999.

[Mont. Code Ann. § 37-51-105 \(2015\)](#)

Montana, Registry Access

The names and addresses of all registrants are public information. Dissemination to the public of information may be done by "newspaper, paper flyers, the internet, or any other media."

Statutory section amended 2009.

[Mont. Code Ann. § 46-23-508 \(2015\)](#)

Montana, Sex Offender Categories

The Justice Department or a sexual offender evaluator designates sexual offenders and sexually violent predators as:

- level 1, if the risk of a repeat sexual offense is low;
- level 2, if the risk of a repeat offense is moderate; and
- level 3, if the risk of a repeat offense is high, there is a threat to public safety, and the offender is a sexually violent predator.

Statutory section amended 2015.

[Mont. Code Ann. § 46-23-509 \(2015\)](#)

Montana, Sex Offender Registry Location

Registration must be with the appropriate registration agency, and the registration agency must:

- send copies of the offender's statement, fingerprints, and photographs to the department of justice; and
- send the offender's DNA sample to the department of justice for analysis and entry into the DNA identification index.

The state's public registry website is available at <http://svcalt.mt.gov/svor/search.asp>.

Statutory section amended 2015.

[Mont. Code Ann. § 46-23-504 \(2015\)](#)

Nebraska

Nebraska, Government's Disclosure Format

ACTIVE

The Nebraska State Patrol's procedures for releasing information must provide for law enforcement and public notification using electronic systems.

Information concerning the address or whereabouts of a sex offender may be disclosed to the victim.

The following must have access to public notification information:

- an agency responsible for conducting employment-related background checks under section 3 of the National Child Protection Act of 1993;
- a social service entity responsible for protecting minors in the child welfare system;
- a volunteer organization in which contact with minors or other vulnerable individuals might occur;

- a public housing agency in an area in which a registered sex offender resides, is an employee, or is a student;
- a governmental agency conducting confidential background checks for employment, volunteer, licensure, or certification purposes; and
- a health care provider who serves children or vulnerable adults that is conducting confidential background checks for employment.

Law enforcement officers may provide community notification "concerning any person who poses a danger under circumstances that are not provided for in the Sex Offender Registration Act."

PASSIVE

Information obtained under the Sex Offender Registration Act is generally *not* confidential. However, the following information may be disclosed only to law enforcement agencies, as appropriate:

- social security number;
- references to arrests that did not result in conviction;
- travel or immigration document information;
- remote communication device identifiers and addresses;

- Internet communication identifiers;
- telephone numbers;
- motor vehicle operator's license information or state identification card number; and
- the name of a sex offender's employer.

The victim's identity may not be released.

Statutory sections amended 2009.

[Neb. Rev. Stat. §§ 29-4009, -4013 \(2016\)](#)

Nebraska, Notification Triggers

No specifically applicable provisions were located. Law enforcement officers may provide community notification "concerning any person who poses a danger under circumstances that are not provided for in the Sex Offender Registration Act."

Statutory section amended 2009.

[Neb. Rev. Stat. § 29-4013 \(2016\)](#)

Nebraska, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

Nebraska, Registry Access

Information obtained under the Sex Offender Registration Act is generally not confidential, unless otherwise provided. However, certain information may be disclosed only to law enforcement agencies, as appropriate. Nebraska's relevant regulations, which previously limited disclosure to specified parties, now primarily address only the disclosure of information that is generally not considered public information, such as an offender's social security number or telephone number.

The Nebraska State Patrol, any law enforcement agency, and any probation or parole officer may release any relevant information that is necessary to protect the public concerning a specific registrant, except the victim's identity.

Statutory section amended 2009. Regulation dated 2010.

[Neb. Rev. Stat. § 29-4009 \(2016\); 272 Neb. Admin. Code § 19-013 \(2015\)](#)

Nebraska, Sex Offender Categories

As of January 1, 2010, notification is no longer based on a sex offender's "level." However, a sex offender's full registration period is generally determined as follows:

- 15 years, if the sex offender was convicted of a registrable offense not punishable by imprisonment for more than one year;
- 25 years, if the sex offender was convicted of a registrable offense punishable by imprisonment for more than one year; or
- life, if the sex offender (a) was convicted of a registrable offense punishable by imprisonment for more than one year and (b) was convicted of an aggravated offense, had a prior sex offense conviction, or has been determined to be a lifetime registrant in another jurisdiction.

Statutory section amended 2009.

[Neb. Rev. Stat. § 29-4005 \(2016\)](#)

Nebraska, Sex Offender Registry Location

The sex offender registration and community notification division of the Nebraska State Patrol maintains a central registry of sex offenders required to register. The state's public registry website is available at <https://sor.nebraska.gov>.

Statutory section amended 2010.

[Neb. Rev. Stat. § 29-4004\(10\) \(2016\)](#)

Nevada

Nevada, Government's Disclosure Format

ACTIVE

The Central Repository generally must immediately provide offender or sex offender information to:

- the U.S. Attorney General;
- the local law enforcement agencies for each jurisdiction in which the offender or sex offender resides or is a student or a worker;
- "each jurisdiction in which the offender or sex offender now resides or is a student or worker and the jurisdiction in which he most recently resided or was a student or worker, if he changes the address at which he resides or is a student or worker";

- any agency that conducts employment-related background checks pursuant to 42 U.S.C. § 5119a; and
- any organization, company or person who asks for notification.

A local law enforcement agency generally must provide the updated information it obtains from the Central Repository to the following:

- each "school, religious organization, youth organization and public housing authority in which the offender or sex offender resides or is a student or worker";
- each agency that provides child welfare services;
- volunteer organizations in which contact with children or other vulnerable persons may occur; and
- for Tier III offenders, "members of the public who are likely to encounter the offender or sex offender."

The local law enforcement agency may also provide updated information obtained from the Central Repository to "any other person or entity whom the law enforcement agency determines warrants such notification."

The Central Repository must give notice if:

- it receives notice from a court that an offender has been convicted of a crime against a child or a sexual offense or that a juvenile has been adjudicated delinquent for an offense for which he is subject to registration and community notification;

- an offender or sex offender is granted probation or will not be incarcerated or confined; or
- an offender or sex offender from another jurisdiction is now residing or is a student or a worker in Nevada.

PASSIVE

The community notification website is the source of record for public information concerning offenders listed in the statewide registry. The website must:

- be maintained in a manner that allows the public to obtain relevant information for each offender by a single query for any given zip code or geographic radius;
- include all of the search capabilities required by the Dru Sjodin National Sex Offender Public Website;
- include, as practicable, links to sex offender safety and education resources;
- include instructions on how to seek correction of erroneous information; and
- include a warning that the website's information should not be "used to unlawfully injure, harass or commit a crime against any person named in the registry or residing or working at any reported address" and a notice that such actions could result in civil or criminal penalties.

The requester *may* provide the following information regarding the person being searched:

- name;
- any alias;
- zip code of his or her residence, work place, or school; or
- any other information concerning his or her identity or location that the Department deems to be sufficient.

For each inquiry to the community notification website, the Central Repository must explain:

- the levels of registration and community notification assigned to sex offenders; and
- that the Central Repository is prohibited by law from disclosing certain information concerning certain offenders, even if those offenders are listed in the statewide registry.

The Central Repository may not provide a requester with any information relating to a Tier I offender unless he has been convicted of a sexual offense or crime against a child.

Statutory section 179D.450 amended 2007; § 179D.475 enacted 2007; § 179B.250 amended 2013.

[Nev. Rev. Stat. Ann. §§ 179B.250; 179D.450, .475 \(2015\)](#)

Nevada, Notification Triggers

A local law enforcement agency must notify members of the public who are likely to encounter a Tier III offender or sex offender. The local law enforcement agency may also provide information obtained from the Central Repository to "any other person or entity whom the law enforcement agency determines warrants such notification."

Statutory section enacted 2007.

[Nev. Rev. Stat. Ann. § 179D.475 \(2015\)](#)

Nevada, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

In any real property sale, lease, or rental, the fact that a sex offender resides or is expected to reside in the community is not material to the transaction, and neither the seller, lessor, landlord, nor his or her agent, has a duty to disclose the fact to a buyer, lessee, tenant, or his or her agent. Neither a seller, lessor, landlord, nor his or her agent is liable to the buyer for any action arising out of the failure to disclose any fact that is not material.

Statutory section amended 2009.

[Nev. Rev. Stat. Ann. § 40.770 \(2015\)](#)

Nevada, Registry Access

The community notification website is the source of record for public information concerning offenders listed in the statewide registry. The website must:

- be maintained in a manner that allows the public to obtain relevant information for each offender by a single query for any given zip code or geographic radius;
- include all of the search capabilities required by the Dru Sjodin National Sex Offender Public Website;

- include, as practicable, links to sex offender safety and education resources;
- include instructions on how to seek correction of erroneous information; and
- include a warning that the website's information should not be "used to unlawfully injure, harass or commit a crime against any person named in the registry or residing or working at any reported address" and a notice that such actions could result in civil or criminal penalties.

The requester may provide the following information regarding the person being searched:

- name;
- any alias;
- zip code of his or her residence, work place, or school; or
- any other information concerning his or her identity or location.

The Central Repository may not provide the requester with any information relating to a Tier I offender unless the offender has been convicted of a sexual offense or a crime against a child.

Statutory section amended 2013.

[Nev. Rev. Stat. Ann. § 179B.250 \(2015\)](#)

Nevada, Sex Offender Categories

Nevada law defines three tiers for registration and community notification for all sex offenders and offenders convicted of a crime against a child. The determination as to which tier level an offender is assigned is based upon the specific crime committed by the offender:

- a "Tier I offender" is "an offender convicted of a crime against a child or a sex offender other than a Tier II offender or Tier III offender";
- a "Tier II offender" is an offender convicted of a crime against a child or a sex offender, other than a Tier III offender, whose crime against a child is punishable by imprisonment for longer than 1 year or whose sexual offense is related to a specified offense, generally including certain offenses involving luring a child, child abuse involving sexual abuse or sexual exploitation, sex trafficking, prostitution, pornography and a minor, or certain other offenses; and
- a "Tier III offender" is an offender convicted of a crime against a child or a sex offender who has been convicted of specified serious offenses.

The offender's or sex offender's level of registration and community notification is part of the registration record.

Statutory sections 179D.113 and 179D.117 enacted 2007; §§ 179D.115 and 179D.151 amended 2013.

[Nev. Rev. Stat. Ann. §§ 179D.113, .115, .117, .151 \(2015\)](#)

Nevada, Sex Offender Registry Location

The sex offender registry is maintained in the central repository for Nevada records of criminal history. The state's public registry website is available at <http://www.nvsexoffenders.gov/>.

Statutory section enacted 1997.

[Nev. Rev. Stat. Ann. § 179D.020 \(2015\)](#)

New Hampshire

New Hampshire, Government's Disclosure Format

ACTIVE

The local law enforcement agency, at its discretion, may affirmatively notify the public that an offender who is included on the public list received by the agency is residing in the community. Also, the department of safety must give written notice of a sexual predator's release to the victim advocate for the county in which the person was prosecuted, and, to the extent possible, to the victim or the victim's family.

The local law enforcement agency in the city or town where an offender expects to reside may notify the school superintendent and the principal of any school within its jurisdiction of the offender's expected address.

PASSIVE

The division must maintain a list of all tier I, tier II, and tier III offenders required to register, and other specified offenders. However, this list is available only to law enforcement officials for valid law enforcement purposes, not the public.

The division must also "maintain a separate public list of all tier I, tier II, and tier III offenders who are required to register as a result of an offense against a child, any offenders about whom the division receives notice pursuant to RSA 651-B:4, V that will be required to register as a result of an offense against children, and any offender who is required to register for more than one sexual offense or offense against a child." The public list must include all information set forth in § 651-B:7(III).

The public list must be available to interested members of the public upon request to a local law enforcement agency. The safety department must also make the list available to the public through the department's official public Internet website. The website must be available "in a manner that will permit the public to obtain relevant information for each sex offender by a single query for any given zip code or geographic radius set by the user." The website may include other search parameters.

Statutory section 135-E:20 amended 2007; § 651-B:3 amended 2008; § 651-B:7 amended 2010.

[N.H. Rev. Stat. Ann. §§ 651-B:3, :7; 135-E:20 \(2015\)](#)

New Hampshire, Notification Triggers

No notification triggers exists because New Hampshire law does not require active notification to the general public. The active notification provisions are at the discretion of the local law enforcement agency.

Statutory section amended 2010.

[N.H. Rev. Stat. Ann. § 651-B:7 \(2015\)](#)

New Hampshire, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender. However, New Hampshire regulations appear to limit an agent's duty to disclosing to a prospective buyer or tenant "any material physical, regulatory, mechanical or on-site environmental condition affecting the subject property of which the licensee has actual knowledge."

Regulation amended 2008.

See [N.H. Code Admin. R. Ann. Rea 701.02 \(2015\)](#)

New Hampshire, Registry Access

The division must maintain a list of all tier I, tier II, and tier III offenders required to register, and other specified offenders. However, this list is available to law enforcement officials for valid law enforcement purposes, and not available to the public.

The division must also "maintain a separate public list of all tier I, tier II, and tier III offenders who are required to register as a result of an offense against a child, any offenders about whom the division receives notice pursuant to RSA 651-B:4, V that will be required to register as a result of an offense against children, and any offender who is required to register for more than one sexual offense or offense against a child." The public list must include all information set forth in § 651-B:7(III).

The public list must be available to interested members of the public upon request to a local law enforcement agency. The safety department must also make the list available to the public through the department's official Internet website. The website must be available "in a manner that will permit the public to obtain relevant information for each sex offender by a single query for any given zip code or geographic radius set by the user." The website may include other search parameters.

Statutory section amended 2010. Regulation amended 2012.

[N.H. Rev. Stat. Ann. § 651-B:7 \(2015\)](#); [N.H. Code Admin. R. Saf-C 5505.02 \(2015\)](#)

New Hampshire, Sex Offender Categories

Offenders are categorized as follows:

- a "Tier I offender" is a sexual offender or an offender against children who is required to register as a result of certain specified offenses, including, among others, certain misdemeanor sexual assaults, misdemeanor violations of privacy, a second or subsequent offense within a 5-year period for indecent exposure and lewdness, or another offense the court determines is a tier I offense;

- a "Tier II offender" is a sexual offender or an offender against children who is required to register as a result of certain specified offenses, including, among others, certain acts of intentional contribution to delinquency, felonious sexual assault, criminal restraint, false imprisonment, endangering the welfare of a child or an incompetent person, felony public indecency, more than one sexual offense, or another offense the court determines is a tier II offense; and
- a "Tier III offender" is a sexual offender or an offender against children who is required to register as a result of certain specified offenses, including, among others, capital murder while attempting to commit an aggravated felonious sexual assault, rape, kidnapping, a sexual offense or offense against a child if the offender was sentenced to an extended prison term, offenses that result in the person being categorized as a sexually violent predator, more than two sexual offenses or offenses against a child, or any other offense the court determines is a tier III offense.

Generally, tier II or tier III offenders must be registered for life. All tier I offenders must be registered for a 10-year period from their release date. A tier I or a tier II offender may petition the superior court to have his or her name and information removed from the public list. Also, effective June 6, 2016, a tier II or tier III offender who was convicted before the sex offender registry was established may petition the court to be relieved from the state's registration requirements.

Statutory sections 651-B:1 and 651-B:7 amended 2010; § 651-B:6 amended 2016.

[N.H. Rev. Stat. Ann. §§ 651-B:1, :6](#) (as amended by [2016 N.H. Laws ch. 197](#)), [:7 \(2015\)](#)

[New Hampshire, Sex Offender Registry Location](#)

Every sexual offender or offender against children must be registered with the Division of State Police of the Department of Safety. The state's public registry website is available at <http://business.nh.gov/NSOR/search.aspx>.

Statutory section amended 2008.

[N.H. Rev. Stat. Ann. § 651-B:2 \(2015\)](#)

New Jersey

New Jersey, Government's Disclosure Format

ACTIVE

The following notification provisions apply to the three risk levels:

- if the risk is low, law enforcement agencies likely to encounter the registrant must be notified;
- if the risk is moderate, community organizations, including schools, religious and youth organizations, must also be notified;
- if the risk is high, the public must also be notified through means “designed to reach members of the public likely to encounter” the registrant.

Generally, law enforcement officers may also notify any members of the public exposed to danger of any persons that pose the danger under circumstances that are not described by statute.

Upon receiving notice that that a sex offender is to be released from incarceration, the chief law enforcement officer of the municipality where the inmate intends to reside must notify the community of the inmate's release.

PASSIVE

Sex offender records are open to any law enforcement agency and may be released to the Division of Child Protection and Permanency and to the Department of Human Services and local welfare agencies for use in placing families. New Jersey law enforcement agencies may release relevant and necessary information regarding sex offenders to the public if releasing the information is necessary for public protection.

Information about certain sex offenders contained in the sex offender central registry is available to the public on the Internet. However, juvenile offenders who do not present a relatively high risk of re-offense and certain moderate risk offenders, including those whose sole sex offense involved incest or consensual sex, are generally not included in the registry available on the Internet. "Sole sex offense" means a single conviction for a sex offense that involves:

- no more than one victim;
- no more than one occurrence; or
- for certain offenses regarding violations within a family, the members of no more than one household.

The public may access the Internet registry to view "an individual registration record, any part of, or the entire Internet registry" concerning offenders:

- whose risk of re-offense is high;
- whose risk of re-offense is moderate or low and whose conduct was characterized by a pattern of repetitive, compulsive behavior; or

- for whom the court has ordered notification.

Unless the offender's conduct was characterized by a pattern of repetitive, compulsive behavior, the individual registration records of offenders whose risk of re-offense is low or of offenders whose risk of re-offense is moderate but for whom the court has not ordered notification are not available to the public on the Internet registry.

Statutory section 2C:7-3 amended 1995; § 2C:7-5 amended 2013; §§ 2C:7-6 and -10 enacted 1994; § 2C:7-12 enacted 2001; § 2C:7-13 amended 2014.

N.J. Stat. §§ 2C:7-3, -5, -6, -10, -12, -13 (2016)

[New Jersey, Notification Triggers](#)

Law enforcement officers may notify members of the public exposed to danger of any persons that pose a danger under circumstances that are not otherwise enumerated in the statutes. Also, if the risk of repeated offense is high, the public must be notified through means “designed to reach members of the public likely to encounter” the registrant. No provisions were located further elaborating which community members must be notified.

Statutory section amended 2013.

N.J. Stat. § 2C:7-5 (2016)

[New Jersey, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Real estate licensees may not ask or provide information regarding notifications issued pursuant to the sex offender registry law. In response to requests for sex offender information, licensees must inform the person making the inquiry that the county prosecutor maintains information about registered sex offenders. All contracts and leases for residential real estate must include the following statement:

MEGAN'S LAW STATEMENT—Under New Jersey law, the county prosecutor determines whether and how to provide notice of the presence of convicted sex offenders in an area. In their professional capacity, real estate licensees are not entitled to notification by the county prosecutor under Megan's Law and are unable to obtain such information for you. Upon closing the county prosecutor may be contacted for such further information as may be disclosable to you.

Regulation amended 2004 and readopted 2009.

N.J. Admin. Code tit. 11, § 5-6.4 (LexisNexis 2016)

[New Jersey, Registry Access](#)

The public may access the sex offender registry on the Internet to obtain information on tier 3 offenders and certain tier 2 offenders. All records are open to any law enforcement agency, which may release relevant and necessary information regarding sex offenders to the public if necessary for public protection.

Statutory section 2C:7-5 amended 2013; § 2C:7-12 enacted 2001.

N.J. Stat. §§ 2C:7-5, -12 (2016)

[New Jersey, Sex Offender Categories](#)

Offenders are categorized into three notification levels, depending upon the degree of the risk of repeated offense (low, moderate, or high).

Statutory section enacted 1994.

N.J. Stat. § 2C:7-8 (2016)

[New Jersey, Sex Offender Registry Location](#)

The Superintendent of State Police maintains the central registry of sex offender registrations and makes certain information in the registry is available to the public on

the Internet. The state's public registry website is available at http://www.njsp.org/info/reg_sexoffend.html.

Statutory section 2C:7-4 amended 2003; § 2C:7-13 amended 2014.

N.J. Stat. §§ 2C:7-4(d), -13 (2016)

New Mexico

New Mexico, Government's Disclosure Format

ACTIVE

Within seven days of receiving registration information from an offender who has committed a serious offense, as specified in § 29-11A-5.1(A), the county sheriff must notify the following that are within a one-mile radius of the offender's residence:

- licensed daycare centers; and
- elementary, middle, and high schools.

The notification must include the sex offender's registration information, except the offender's social security number and DNA information.

PASSIVE

A person who wants to obtain registration information regarding a sex offender who has committed a serious offense, as specified in § 29-11A-5.1(A), may request the information from the:

- county sheriff for the county in which the sex offender resides;

- chief law enforcement officer for the municipality in which the sex offender resides;
- district attorney for the judicial district in which the sex offender resides; or
- public safety secretary.

Upon receipt of a request, the official must provide the offender's registration information, except his or her social security number and DNA information, within a reasonable period of time and no later than seven days after receiving the request.

The department of public safety must establish and manage an Internet website that provides the public with registration information regarding sex offenders who committed more serious offenses, as described in § 29-11A-5.1(A). The registration information provided to the public may not include:

- a sex offender's social security number, DNA information, or place of employment, unless the offender's employment requires him or her to have direct contact with children; or
- registration information on a sex offender who was less than eighteen years old when he committed the offense, unless at the time of sentencing, the court made a finding that the offender was not amenable to treatment and is a danger to the community.

The Internet website must provide the following registration information:

- the sex offender's legal name and any other names or aliases;
- the offender's current address;

- if the offender's employment involves direct contact with children, his or her place of employment;
- the sex offenses for which the offender has been convicted;
- the offender's photograph, birthdate, and physical description; and
- a "link that will pinpoint" the offender's place of employment if the offender has direct contact with children.

Statutory section amended 2013.

N.M. Stat. § 29-11A-5.1 (2015)

[New Mexico, Notification Triggers](#)

The county sheriff must inform every licensed daycare center, elementary school, middle school and high school within a one-mile radius of the offender's residence. No provision requires active notification to the general public.

Statutory section amended 2013.

N.M. Stat. § 29-11A-5.1 (2015)

[New Mexico, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

New Mexico regulations provide that an associate broker or qualifying broker has a duty to disclose any known adverse material facts about the property or the transaction. "Adverse material facts" that previously explicitly did not include data from a sex offender registry, now more broadly do not include "any information covered by federal fair housing laws or the New Mexico Human Rights Act."

Regulation amended 2014.

N.M. Admin. Code tit. 16, § 16.61.19.8 (2016)

[New Mexico, Registry Access](#)

The public may obtain sex offender registration information by contacting:

- the county sheriff, a chief law enforcement officer, or a district attorney for the area in which the sex offenders reside; or

- the state public safety secretary.

The department of public safety must also establish and manage an Internet web site that provides the public with certain registration information.

Statutory section amended 2013.

N.M. Stat. § 29-11A-5.1 (2015)

[New Mexico, Sex Offender Categories](#)

Research located no state statutes or regulations providing that sex offenders are categorized on the registry according to the dangers they pose. However, the department of public safety retains registration for varying time periods and releases information depending on the severity of the offense. Also, a sex offender required to register pursuant to the provisions of § 29-11A-5(D), which includes specified serious offenses, must verify registration information with the county sheriff at least once during each 90-day period for the rest of the sex offender's life. A sex offender required to register pursuant to the provisions of § 29-11A-5(E), which includes specified moderately serious offenses, must verify registration information with the county sheriff once every six months for ten years.

Statutory section 29-11A-5 amended 2007; § 29-11A-4 amended 2013.

See N.M. Stat. §§ 29-11A-4, -5 (2015)

New Mexico, Sex Offender Registry Location

The county sheriff maintains a local registry of sex offenders in his or her jurisdiction. The department of public safety maintains a central registry of registered sex offenders. The state's public registry website is available at <http://www.nmsexoffender.dps.state.nm.us/>.

Statutory section amended 2007.

N.M. Stat. § 29-11A-5 (2015)

New York

New York, Government's Disclosure Format

ACTIVE

The board must notify the public as follows:

- for a level 1 offender,
 - the law enforcement agency with jurisdiction and the agency that had jurisdiction at conviction must be notified;
 - that agency may disseminate relevant information, which may include the following, to any entity with vulnerable populations related to the nature of the offense committed by such sex offender: a photograph and description of the offender; the offender's name and exact address; background information including the offender's crimes of conviction that require him or her to register, mode of operation, and type of victim targeted; the name and address of any institution of higher education at which the sex

offender is enrolled, attends, is employed or resides; and the description of special conditions imposed on the offender; and

- any entity receiving the above information on a sex offender may disclose or further disseminate the information at its discretion;
- for a level 2 offender, the law enforcement agency with jurisdiction and the agency that had jurisdiction at conviction must be notified and may disseminate relevant information to any entity with vulnerable populations, and an entity receiving the information may further disseminate it at its discretion, in which case, the information must also be provided in the subdirectory and be made available to the public; and
- for a level 3 offender, the law enforcement agency with jurisdiction and the agency with jurisdiction at conviction must be notified and may disseminate relevant information to any entity with vulnerable populations, and an entity receiving the information may further disseminate it. In addition, information for level 3 offenders must be provided in a subdirectory, which must be available to the public upon request.

The division must, at least monthly, release to each municipal housing authority information about level two and level three sex offenders that have a home address or expected place of domicile within the municipality.

PASSIVE

Telephone requests

The division operates a telephone number that members of the public may call free of charge to inquire whether a named individual is a registrant. If the division determines that the named person reasonably appears to be a registrant, it may provide the caller with “the relevant information according to risk.”

Camp-operators

The corrections division, upon any children's camp operator's request, must release any information in the registry related to the requestor's prospective employee.

Subdirectory

The division must also establish and maintain a sexually violent predator subdirectory, which must include the following information for level two and level three sex offenders:

- exact address, address of the offender's place of employment and photograph;
- if available, "name, physical description, age and distinctive markings"; and
- background information, including the crime, mode of operation, type of victim, any institution of higher education with which the offender is affiliated, and a description of special conditions imposed on the offender.

The subdirectory must have the sex offender listings categorized by county and zip code. The subdirectory must be made available at all times on the internet via the division's homepage.

A person may apply to the division to receive automated e-mail notifications whenever a new or updated subdirectory registration occurs in the geographic area the person specifies. The division must furnish the service at no charge. The person must request e-mail notification by county and/or zip code on the division's forms. E-mail notification is limited to three geographic areas per e-mail account.

Internet entities

The division must:

- upon request, release to an authorized internet entity "internet identifiers that would enable such entity to prescreen or remove sex offenders from its services"; or
- "in conformity with state and federal law, advise law enforcement and/or other governmental entities of potential violations of law and/or threats to public safety."

The division may charge an authorized internet entity a fee for access to registered internet identifiers.

Municipal housing authorities

The division must make registry information regarding level two and level three sex offenders available to municipal housing authorities to enable the authorities to identify persons "ineligible to reside in public housing."

Statutory section 168-p amended 2004; § 168-l amended 2011; § 168-b amended 2012; § 168-q amended 2014. Regulation amended 2006 and renumbered 2014.

N.Y. Correct. Law §§ 168-b, -l, -p, -q (2016); *see also* N.Y. Comp. Codes R. & Regs. tit. 9, § 348.6(c) (2016)

New York, Notification Triggers

The local law enforcement agency has discretion to notify any "entities with vulnerable populations" about level 2 and level 3 offenders, and an entity receiving information on a sex offender may disclose or further disseminate the information at its discretion. No other notification triggers were located.

A person may apply to the division to receive automated e-mail notifications whenever a new or updated subdirectory registration occurs in the geographic area the person specifies.

Statutory section 168-l amended 2011; § 168-q amended 2014.

N.Y. Correct. Law § 168-l, -q (2016)

[New York, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

[New York, Registry Access](#)

The State provides public access to sex offender information through a telephone number. To obtain information over the phone, the caller must provide precise information about the person about whom he is requesting information. The caller must be at least 18 years old.

The division maintains a subdirectory of level 2 and level 3 sex offenders, categorized by county and zip code. The subdirectory must also be made available at all times on the internet via the division's homepage.

Statutory section 168-p amended 2004; § 168-q amended 2014.

N.Y. Correct. Law §§ 168-p, -q (2016)

[New York, Sex Offender Categories](#)

New York assesses the risk of a repeat offense by each sex offender and the threat he poses to public safety, and identifies certain offenders as sexual predators, sexually

violent offenders, or predicate sex offenders. Also, the board recommends one of the following three notification levels depending on the offender's risk of re-offense:

- level 1, if the risk of repeat offense is low;
- level 2, if the risk of repeat offense is moderate; and
- level 3, if the risk of repeat offense is high and the offender is a threat to public safety.

Statutory section amended 2011.

N.Y. Correct. Law § 168-*l* (2016)

New York, Sex Offender Registry Location

The State Division of Criminal Justice maintains a file of individuals required to register, operates the telephone number for public access, and maintains a subdirectory of level 2 and level 3 offenders. The state's public registry website is available at <http://www.criminaljustice.ny.gov/nsor/>.

Statutory section 168-b amended 2012; § 168-a amended 2015.

N.Y. Correct. Law §§ 168-a, -b (2016)

North Carolina

North Carolina, Government's Disclosure Format

ACTIVE

The Department of Public Safety must notify the following of any registration information:

- all need-to-know law enforcement agencies; and
- the appropriate law enforcement unit at an institution of higher education, upon receipt of relevant information based on the registration.

The licensee for each licensed day care center and the principal of each elementary, middle, and high school must register with the North Carolina Sex Offender and Public Protection Registry to be notified by email when a registered sex offender moves within a one-mile radius of the day care center or school.

Effective December 1, 2015, upon the request of an institution of higher education, the county sheriff must provide a report containing the registry information for any registrant who has stated that he or she is a student or employee, or expects to become a student or employee, of that institution. The report must be provided electronically without charge and in writing upon payment of reasonable duplicating costs and mailing costs.

PASSIVE

Certain information regarding a registrant is a public record and must be available for public inspection. The sheriff and the division must release other relevant information that is necessary to protect the public concerning a specific person, but may not release the victim's identity. A person may obtain a copy of an individual's registration form, a part of the county registry, or the entire county registry, by submitting a written request to the sheriff. The sheriff may charge a reasonable fee for duplicating and mailing costs.

The Department of Public Safety must provide free public access on the Internet to data from the statewide registry, including photographs. The public may access the statewide registry to view an individual registration record, part of the registry, or the entire statewide registry. The Department must maintain the system for public access so that:

- a registrant's full name, aliases, and any legal name changes are cross-referenced; and

- a member of the public may search for a registrant under any of those names.

The division must also "maintain a system allowing an entity to access a list of online identifiers" of registered persons for a fee. An "entity" is "a business or organization that provides Internet service, electronic communications service, remote computing service, online service, electronic mail service, or electronic instant message or chat services."

Sex offenders must register for convictions obtained outside North Carolina.

Statutory section 14-208.10 amended 1997; § 14-208.19 enacted 2008; §§ 14-208.14 and 14-208.15A amended 2014; §§ 14-208.6 and 14-208.15 amended 2015.

[N.C. Gen. Stat. §§ 14-208.6, .10, .14, .15, .15A, .19 \(2015\)](#)

North Carolina, Notification Triggers

No active notification to the general public is required, so no notification triggers were located.

North Carolina, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations that specifically address whether a licensee must disclose the proximity of a sex offender.

North Carolina, Registry Access

The Department of Public Safety provides public access to automated data from the statewide registry, including registrants' photographs, on the Internet. The public may access the statewide registry to view an individual registration record, a part of the registry, or the entire statewide registry. The Division and the local sheriff will also provide copies of registry information to the public upon written request for a reasonable fee for duplicating and mailing costs. Information regarding a juvenile required to register is not public record or available for public inspection, and may be released only to law enforcement agencies and local boards of education.

Statutory section 14-208.10 amended 1997; § 14-208.29 amended 2008; § 14-208.15 amended 2015.

[N.C. Gen. Stat. §§ 14-208.10, .15, .29 \(2015\)](#)

North Carolina, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders are categorized according to the dangers they pose. However, when a person is charged with a sexually violent offense, the district attorney decides whether to attempt to classify the offender as a sexually violent predator if the person is convicted.

Statutory section amended 2011.

See [N.C. Gen. Stat. § 14-208.20 \(2015\)](#)

North Carolina, Sex Offender Registry Location

The Department of Public Safety maintains the central statewide sex offender registry. The state's public registry website is available at <http://sexoffender.ncsbi.gov>.

Statutory section amended 2014.

[N.C. Gen. Stat. § 14-208.14 \(2015\)](#)

North Dakota

North Dakota, Government's Disclosure Format

ACTIVE

If an offender is a moderate risk, a law enforcement agency must disclose information about the offender to:

- the victim registered with the statewide automated victim information and notification system; and
- any agency, civic organization, or group of persons with characteristics similar to those of the offender's victim.

PASSIVE

A law enforcement agency must disclose to the public relevant and necessary conviction and registration information if:

- the individual is a moderate or high risk; and
- the agency determines that disclosure is necessary for public protection.

Public disclosure may include Internet access only if the offender:

- is required to register for his lifetime; or
- is a high-risk offender.

Upon request, law enforcement agencies may release conviction and registration information regarding low-risk, moderate-risk, or high-risk offenders.

Statutory section amended 2015.

[N.D. Cent. Code § 12.1-32-15 \(2015\)](#)

North Dakota, Notification Triggers

No general active public notification is required, so no notification triggers were located. However, a law enforcement agency must disclose relevant and necessary conviction and registration information to the public if the individual is a moderate- or high-risk offender, and the agency determines that disclosure of the conviction and registration information is necessary for public protection.

Statutory section amended 2015.

[N.D. Cent. Code § 12.1-32-15 \(2015\)](#)

North Dakota, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

A licensee is not liable for any action resulting from the disclosure or failure to disclose any information relating to the registration of sex offenders.

Statutory section enacted 1999.

[N.D. Cent. Code § 43-23-08.3 \(2015\)](#)

North Dakota, Registry Access

Public disclosure may include internet access if the offender:

- is required to register for a lifetime; or
- has been determined to be a high risk to the public.

Upon request, law enforcement agencies may release conviction and registration information regarding low-risk, moderate-risk, or high-risk offenders.

Statutory section amended 2015.

[N.D. Cent. Code § 12.1-32-15 \(2015\)](#)

North Dakota, Sex Offender Categories

The corrections department must conduct a risk assessment of sex offenders who are incarcerated in institutions under the control of the department and sex offenders who are on supervised probation.

The department must provide the attorney general with the risk level of an offender about to be released or placed into a community. The attorney general conducts a risk assessment of sexual offenders who are not under the department's custody or supervision.

An offender must register for a longer time period if he is assigned a moderate or high risk.

Statutory section amended 2015.

[N.D. Cent. Code § 12.1-32-15 \(2015\)](#)

North Dakota, Sex Offender Registry Location

The Office of the Attorney General collects and maintains sex offender information and develops guidelines for public disclosure of offender registration information, which may include Internet access. The state's public registry website is available at

<http://www.sexoffender.nd.gov/>.

Statutory section amended 2015.

[N.D. Cent. Code § 12.1-32-15 \(2015\)](#)

Ohio

Ohio, Government's Disclosure Format

ACTIVE

If a person has been convicted of or has pleaded guilty to a sexually oriented offense or a child-victim oriented offense or meets other statutory requirements, the sheriff must provide a written notice to all of the following that are within the sheriff's county:

- an occupant of each residence in the proximity of the offender's or delinquent child's residence, except those located in a multi-unit building;
- an occupant of each residential unit that is located in the same multi-unit building as the offender or delinquent child and that shares a common hallway with him;
- the building manager of each multi-unit building located within 1,000 feet of the offender's residence;
- all additional neighbors who are within any category that the attorney general by rule requires to be notified;
- the executive director of the public children services agency with jurisdiction in the specified geographical notification area;
- each superintendent of schools within the specified geographical notification area;
- the principal of the school within the specified geographical notification area that the delinquent child attends;
- the hiring officer of each chartered nonpublic or other school located within the specified geographical notification area;

- regardless of the school's location, the hiring officer of a chartered nonpublic school that the delinquent child attends;
- the director, head teacher, elementary principal, or site administrator of certain preschool programs;
- the administrator of each child day-care center or certain family day-care homes that are located within the specified geographical notification area;
- the president of each institution of higher education that is located within the specified geographical notification area and its chief law enforcement officer or campus police department;
- the sheriff of each county that includes any portion of the notification area;
- if the offender or delinquent child resides within the county, the chief of police, marshal, or other chief law enforcement officer of the municipal corporation in which the offender or delinquent child resides or, if he resides in an unincorporated area, the police chief; and
- "volunteer organizations in which contact with minors or other vulnerable individuals might occur or any organization, company, or individual who requests notification," as provided by statute.

Notices generally must be in writing. Notices to the public and to building managers must be transmitted by regular mail or by personal delivery to the residences, which may be made by placing the notice under the door. Notice to the entities listed above must also be in writing and may be transmitted by mail, fax, or electronic transmission, or in person.

The sheriff must also provide notice to those persons listed in § 3797.06 of any registrant against whom a court has entered a declaratory judgment finding that the registrant would have been liable for assault or battery based on childhood sexual abuse but for the expiration of the limitation period.

PASSIVE

An offender or delinquent child who is in a category specified in § 2950.11(F)(1) and that meets other statutory standards is a public record open to inspection. Generally, the duty to provide notices applies regarding any offender or delinquent child who is in any of the following categories:

- an offender who is a tier III sex offender/child-victim offender, or a delinquent child who is a public registry-qualified juvenile offender registrant;
- a delinquent child who is a tier III sex offender/child-victim offender, who is not a public registry-qualified juvenile offender registrant, if the delinquent child was subjected to the requirement before January 1, 2008, as a sexual predator, habitual sex offender, child-victim predator, or habitual child-victim offender; and
- a delinquent child is a tier III sex offender/child-victim offender who is not a public registry-qualified juvenile offender registrant, but the delinquent child was classified a juvenile offender registrant on or after January 1, 2008, and the court has imposed a notice requirement.

See Ohio Rev. Code § 2950.11(F)(1) and (2) for numerous exceptions.

The department of rehabilitation and correction must establish and operate on the Internet a database that contains certain offenders' names and the information specified in § 5120.66.

Statutory section 5120.66 amended 2011; §§ 2950.11 and 3797.06 amended 2012.
Regulation amended 2004.

[Ohio Rev. Code §§ 2950.11\(A\), \(C\), \(D\); 3797.06; 5120.66 \(2015\); Ohio Admin. Code § 109:5-2-03 \(2015\)](#)

Ohio, Notification Triggers

Written notice must be provided to the persons within the specified geographic notification area, which means the school district within which the sexual predator, child-victim predator or habitual sex offender resides, is employed or attends school.

If the registered residence, employment or school of the person subject to community notification is located within one mile of an adjacent school district, the sheriff may, in the interest of public safety, provide written notice to persons set forth in § 2950.11(A)(2)—(8) who are located in the adjacent school district.

For a person convicted of a sexually oriented offense or a juvenile sex offender that is in one of the categories set forth in § 2950.11(F)(1), the sheriff must provide a written notice to all occupants of residences within 1,000 feet of the offender's or delinquent child's residence that are located within the sheriff's county and all additional neighbors of the offender or delinquent child who are within any category that the attorney general requires to be provided the notice.

When a sexual predator, child-victim predator or a habitual sex offender subject to community notification registers with a sheriff, the sheriff must provide written notice to:

- all occupants of residences adjacent to the registrant's residence;
- all occupants of residences that would be adjacent to the registrant's residence except for the existence of a road or railroad track;
- all occupants or residences in the same multi-resident building that share a common hallway with the registrant; and

- the manager of the multi-resident building in which the registrant resides.

The sheriff must also provide notice to the following persons (among others listed in § 3797.06) regarding any registrant against whom a court has entered a declaratory judgment finding that the registrant would have been liable for assault or battery based on childhood sexual abuse but for the limitation period's expiration:

- an occupant of each residential unit that is located within 1,000 feet of the registrant's residence, is located in the sheriff's county, and is not located in a multi-unit building;
- if the registrant resides in a multi-unit building, an occupant of each residential unit that is located in that multi-unit building and shares a common hallway with the registrant;
- the building manager of each multi-unit building that is located within 1,000 feet of the registrant's residential premises, including a multi-unit building in which the registrant resides, and that is located in the sheriff's county, in which case the sheriff must also either (a) post a copy of the notice in each common entryway in the building and any other appropriate location or (b) provide notice to all of the building's occupants by mail or personal contact; and
- all additional persons within any category of "neighbors" of the registrant that the attorney general adopts by rule.

Statutory sections amended 2012. Regulations amended 2010.

[Ohio Rev. Code §§ 2950.11; 3797.06 \(2015\); Ohio Admin. Code §§ 109:5-2-01, -03 \(2015\)](#)

[Ohio, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender. However, the Ohio Residential Property Disclosure Form requires the *seller* to notify the purchaser of how to obtain information regarding sex offenders.

Form amended 2013.

See [Ohio Dep't of Commerce, Residential Property Disclosure Form \(2013\)](#)

Ohio, Registry Access

The statements, information, photographs, fingerprints, and materials received by the bureau pursuant to § 2950.14 and provided by a registrant who provides notice of relevant changes and verification of current information, are not open to inspection by the public or by any person other than the following:

- a regularly employed peace or law enforcement officer;
- an authorized employee of the bureau of criminal identification and investigation;
and
- the motor vehicle registrar.

However, this restriction does not apply to any information that is contained in the Internet sex offender and child-victim offender database established by the attorney general pursuant to § 2950.13(A)(11).

Any statements, information, photographs, fingerprints, and materials in the sheriff's possession are public records open to public inspection under § 149.43 and must be included in the Internet sex offender and child-victim offender database. Unless the offender is a "public registry-qualified juvenile offender registrant," the sheriff may not publicly disseminate on the Internet any statements, information,

photographs, fingerprints, or materials, provided by a juvenile sex offender (or delinquent child) who registers, provides notice of a certain changes, or provides verification of his current status. All information that a sheriff possesses regarding a sexual predator or a habitual sex offender that must or may be provided in a notice is a public record open to inspection.

If a sheriff establishes on the Internet a sex offender and child-victim offender database for the public dissemination of information that pertain to offenders or delinquent children who register in the sheriff's county, the sheriff must also include:

- a chart describing which sexually oriented offenses and child-victim oriented offenses are included in the definitions of tier I, tier II, and tier III sex offender/child-victim offender; and
- for each offender or delinquent child, a statement as to whether the offender or delinquent child is a tier I, a tier II, or tier III sex offender/child-victim offender.

The Internet database created by the department of rehabilitation and corrections, as required by § 5120.66, is also open to the public and contains data regarding the release of sex offenders.

Statutory sections 2950.08 and 2950.081 amended 2007; § 5120.66 amended 2011; §§ 2950.11 and 2950.13 amended 2012.

[Ohio Rev. Code §§ 2950.08, .081, .11\(E\), .13; 5120.66 \(2015\)](#)

Ohio, Sex Offender Categories

Ohio categorizes sex offenders as follows:

- a "Tier I sex offender/child-victim offender" includes, among others, a sex offender who is or has been convicted of or pleads or has pleaded guilty to any of numerous

specified sexually oriented offenses, such as sexual imposition, importuning, voyeurism or pandering obscenity, and certain child-victim offenders who do not fall into the Tier II or Tier III categories, among others (see § 2950.01(E) for an extensive list of Tier I offenses);

- a "Tier II sex offender/child-victim offender" includes, among other, a sex offender who is or has been convicted of or pleads or has pleaded guilty to any of numerous specified sexually oriented offenses, such as compelling prostitution, pandering obscenity involving a minor, or pandering sexually oriented matter involving a minor, among others (see § 2950.01(F) for an extensive list of Tier II offenses); and
- a "Tier III sex offender/child-victim offender" includes a sex offender who is or has been convicted of or pleads or has pleaded guilty to any of numerous specified sexually oriented offenses, including rape, sexual battery, certain acts of gross sexual imposition, or aggravated murder, murder, or felonious assault committed with a sexual motivation, among others (see § 2950.01(G) for an extensive list of Tier III offenses).

Statutory section amended 2014.

[Ohio Rev. Code § 2950.01 \(2015\)](#)

Ohio, Sex Offender Registry Location

The attorney general maintains the state registry of sex offenders and child-victim offenders, which is housed at the bureau of criminal identification and investigation. Also, the attorney general, through the bureau of criminal identification and investigation, must operate an Internet database that enables local law enforcement representatives to search remotely the state registry.

The state's public registry website is available at http://www.communitynotification.com/cap_main.php?office=55149.

Statutory section amended 2012.

Oklahoma

Oklahoma, Government's Disclosure Format

ACTIVE

For habitual or aggravated sex offenders, a local law enforcement authority must notify, by any appropriate method, “anyone that the local law enforcement authority determines appropriate, including, but not limited” to the following:

- the offender’s family;
- the offender’s prior victims;
- residential neighbors, “churches, community parks, schools, convenience stores, businesses and other places that children or other potential victims may frequent”; and
- nursing or specialized facilities, residential care homes, assisted living centers, and adult day care facilities.

The Department of Corrections must provide all municipal police departments, county sheriffs and campus police departments with a list of all sex offenders registered and living in their county. The Superintendent of Public Instruction must distribute information from the sex offender registry to school districts and individual and private schools within the state, and the State Commissioner of Health may distribute sex offender registry information to any nursing home or long-term care facility.

PASSIVE

The local law enforcement authority must make the information regarding a habitual or aggravated sex offender available to any person upon request. The registration file must be available for public inspection or copying pursuant to rules promulgated by the Department of Corrections and may be made available on the Internet.

Also, each local law enforcement authority must make its sex offender registry available upon request at a cost that is no more than what is charged for other records pursuant to the Open Records Act.

All "persons, businesses and organizations" in Oklahoma may search and identify individual names contained in the Oklahoma Sex Offender Registry and the Mary Rippy Violent Crime Offenders Registry in order to verify "a person's suitability for employment, volunteering, and for screening persons at risk of potential harm to children who may work with or provide services to children" using the following methods:

- by contacting the Oklahoma State Bureau of Investigation, completing a form, and paying the required fees for a name search;
- conducting a free Internet search of both registries; or
- contacting either the local law enforcement agency or the Department of Corrections, completing a form and paying the required fee for a name search of both registries.

The Department of Corrections must, upon any Internet entity's request, release to that entity specified information that would enable the entity to prescreen or remove sex offenders from its services or advise law enforcement or other governmental entities of potential law violations or public safety threats.

Statutory section 599.1 enacted 2008; § 584 amended 2014.

[Okla. Stat. Ann. tit. 57, §§ 584\(I\), \(J\), \(K\), \(L\), \(N\); 599.1 \(2015\)](#)

Oklahoma, Notification Triggers

Oklahoma statutes provide that a local law enforcement authority must notify any person that it determines appropriate about habitual or aggravated sex offenders. Although the statute mentions “residential neighbors” as one of the possible parties to notify, nothing defines “neighbors” or elaborates how the authority should determine that a party is “appropriate” for notification.

Statutory section amended 2014.

[Okla. Stat. Ann. tit. 57, § 584\(N\)\(3\) \(2015\)](#)

Oklahoma, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Neither the Oklahoma Sex Offenders Registration Act nor the Mary Rippy Violent Crime Offenders Registration Act is deemed to impose a duty on a real estate licensee to disclose any information regarding a sex offender registrant.

Statutory section amended 2004.

[Okla. Stat. Ann. tit. 59, § 858-514 \(2015\)](#)

Oklahoma, Registry Access

Each local law enforcement authority must make its sex offender registry available upon request, without restriction, at a cost no greater than that charged for other records pursuant to the Open Records Act. The local law enforcement authority must also make notification regarding a habitual or aggravated sex offender available to any person upon request.

All "persons, businesses and organizations" in Oklahoma may search and identify individual names contained in the Oklahoma Sex Offender Registry and the Mary Rippy Violent Crime Offenders Registry in order to verify "a person's suitability for employment, volunteering,

and for screening persons at risk of potential harm to children who may work with or provide services to children" using the following methods:

- by contacting the Oklahoma State Bureau of Investigation, completing a form, and paying the required fees for a name search;
- conducting a free Internet search of both registries; or
- contacting either the local law enforcement agency or the Department of Corrections, completing a form and paying the required fee for a name search of both registries.

Statutory section 599.1 enacted 2008; § 584 amended 2014.

[Okla. Stat. Ann. tit. 57, §§ 584\(L\), \(N\); 599.1 \(2015\)](#)

Oklahoma, Sex Offender Categories

Before a person subject to the Sex Offenders Registration Act is released from a correctional institution, the Department of Corrections must determine, based on federal law, the person's sex offender level assignment of one, two, or three, using the following general guidelines:

- a level one sex offender "poses a low danger to the community and will not likely engage in criminal sexual conduct";
- a level two sex offender "poses a moderate danger to the community and may continue to engage in criminal sexual conduct"; and

- a level three sex offender "poses a serious danger to the community and will continue to engage in criminal sexual conduct."

The Department of Corrections may also designate a person a habitual sex offender.

Statutory section 582.1 enacted 2007; § 582.5 amended 2009; § 584 amended 2014.

[Okla. Stat. Ann. tit. 57, §§ 584\(N\); 582.1, .5 \(2015\)](#)

Oklahoma, Sex Offender Registry Location

The Department of Corrections maintains a file of all sex offender registrations. The state's public registry website is available at <https://sors.doc.state.ok.us/svor/f?p=105:1:>

Statutory section amended 2014.

[Okla. Stat. Ann. tit. 57, § 584\(H\) \(2015\)](#)

Oregon

Oregon, Government's Disclosure Format

ACTIVE

Release to law enforcement agencies

A notifying or supervising agency may release sex offender information to a law enforcement agency if the notifying or supervising agency determines that releasing the information is in the public interest.

Release to public

For level three sex offenders, the notifying or supervising agency *must* release sex offender information on the department's website and *may* release sex offender information to the following:

- persons that reside with the sex offender;
- persons with whom the sex offender has a significant relationship;
- residential neighbors and churches, community parks, schools, child care centers, convenience stores, businesses, and other places that children or other potential victims may frequent;
- a long term or residential care facility, if the agency knows that the sex offender is seeking admission to the facility; and
- local or regional media sources.

For level two sex offenders, the supervising or notifying agency *may* release sex offender information to the following:

- persons that reside with the sex offender;
- persons with whom the sex offender has a significant relationship;
- residential neighbors and churches, community parks, schools, child care centers, convenience stores, businesses, and other places that children or other potential victims may frequent; and

- a long term or residential care facility, if the agency knows that the sex offender is seeking admission to the facility.

For level one sex offenders, the supervising or notifying agency *may* release sex offender information to a person that resides with the sex offender.

In this context, a "notifying agency" includes the Department of State Police, a city police department, a county sheriff's office, or a university police department. A "supervising agency" means a governmental entity responsible for supervising a person required to report as a sex offender.

"Sex offender information" means the information that the Department of State Police determines is appropriate for release to the public.

Different notification provisions apply to juvenile offenders.

PASSIVE

Request

A notifying or supervising agency must release, upon request, any information that may be necessary to protect the public concerning:

- sex offenders who reside in a specific area; or
- a specific sex offender.

Internet website

For a sex offender classified at level three, the Department of State Police must release sex offender information on a website the Department maintains. However, the Department may not use the internet to make available to the public information concerning a sex offender classified at level three while the person is under the Psychiatric Security Review Board's or the Oregon Health Authority's supervision, unless the Department is authorized by the supervising agency's request.

The Department must consider adding links that connect to other sex offender websites run by Oregon counties and by the federal government.

Juvenile offenders

Different notification provisions apply to juvenile offenders. Generally, if a sex offender is under the supervision of the Oregon Youth Authority or a county juvenile department for the *first time* as a result of committing an act that if committed by an adult would constitute a sex crime, the Department of State Police, city police department, or county sheriff's office must release, upon request, only the limited information permitted by statute. However, the Oregon Youth Authority or a county juvenile department must release, upon request, any information that may be necessary to protect the public concerning a sex offender under its supervision.

For other juvenile offenders, the Department of State Police, city police department, or county sheriff's office must release, upon request, any information that may be necessary to protect the public concerning sex offenders who reside in a specific area or concerning a specific sex offender required to report. The entity may not release the victim's identity.

The Department of State Police may make this information available to the public, without request, by electronic or other means. Information about a person who is under supervision for the first time must be accessible only by using the sex offender's name. The Department of State Police may not use the internet to make information on juvenile offenders available to the public.

Statutory sections 163A.215 and 163A.225 amended and renumbered 2015; § 163A.220 renumbered 2015.

[Or. Rev. Stat. §§ 163A.215, .220, .225 \(2015\)](#)

Oregon, Notification Triggers

A notifying or supervising agency may release sex offender information to a law enforcement agency if the notifying or supervising agency determines that releasing the information is in the public interest.

For level two and level three sex offenders, active notification is triggered by a person's relationship with the offender (a person that resides with the sex offender or with whom the sex offender has a significant relationship) and by the agency's determinations regarding whether a location is one that children or other potential victims may frequent.

Statutory section amended and renumbered 2015.

[Or. Rev. Stat. § 163A.215 \(2015\)](#)

Oregon, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

An Oregon real estate licensee has no obligation to disclose to a potential purchaser of residential property that a registered sex offender resides in the area.

Statutory section amended 2013.

[Or. Rev. Stat. § 696.880 \(2015\)](#)

Oregon, Registry Access

For an offender classified as a level three sex offender, the Department of State Police must release sex offender information on a website the Department maintains. However, the Department may not use the internet to make available to the public information concerning a sex offender classified as a level three sex offender while the person is under the Psychiatric Security Review Board's or the Oregon Health Authority's supervision, unless the Department is authorized by the supervising agency's request.

The Department must consider adding links that connect to other sex offender websites run by Oregon counties and by the federal government.

Statutory section 163A.215 amended and renumbered 2015; § 163A.220 renumbered 2015.

[Or. Rev. Stat. §§ 163A.215, .220 \(2015\)](#)

Oregon, Sex Offender Categories

Sex offenders are classified as follows:

- a level one sex offender, which is an offender who presents the lowest risk of reoffending and requires a limited range of notification;
- a level two sex offender, which is an offender who presents a moderate risk of reoffending and requires a moderate range of notification; and
- a level three sex offender, which is an offender who presents the highest risk of reoffending and requires the widest range of notification.

Statutory section amended and renumbered 2015.

[Or. Rev. Stat. § 163A.100 \(2015\)](#)

Oregon, Sex Offender Registry Location

The Department of State Police maintains the sex offender website. The state's public registry website is available at <http://sexoffenders.oregon.gov/>.

Statutory section amended and renumbered 2015.

[Or. Rev. Stat. § 163A.215 \(2015\)](#)

Pennsylvania

Pennsylvania, Government's Disclosure Format

ACTIVE

A municipal police department or the Pennsylvania State Police must give written notice to the victim when a sexually violent predator or sexually violent delinquent child registers. The police must give the notice within 72 hours after the predator or delinquent child registers or notifies the Pennsylvania State Police of current information. The police department of the municipality in which a sexually violent predator or delinquent child lives must provide written notice to the following persons:

- the predator's or delinquent child's neighbors (if the predator lives in a common interest community, the term "neighbor" includes the unit owners' association and the common interest community's residents);
- the director of the county children and youth agency of the county in which the predator or delinquent child has a residence;
- the superintendent of each school district and the equivalent official for each private and parochial school enrolling students up through grade 12 in the municipality in which the predator or delinquent child lives;

- the superintendent of each school district and the equivalent official for each private and parochial school located within a one-mile radius of where the predator or delinquent child has a residence or a known temporary habitat;
- the "licensee of each certified day-care center and licensed preschool program and owner or operator of each registered family day-care home" in the municipality in which the predator or delinquent child has a residence; and
- the president of each college, university, and community college located within 1,000 feet of a predator's residence or last known temporary habitat.

Neighbors must receive the notice within five days after the chief law enforcement officer has received information of the predator's or delinquent child's release date and residence. Verbal notification may be used if written notification would delay the notice. The remaining persons listed above must receive notice within seven days after the chief law enforcement officer receives the information.

PASSIVE

Certain information regarding sex offenders and predators must be available to the general public upon request. The information may be provided by electronic means.

The Pennsylvania State Police must develop and maintain a system for making information about offenders, predators, and delinquent children publicly available on the Internet. The Internet website must, among other things:

- "permit a member of the public to obtain relevant information for an individual convicted of a sexually violent offense, a sexually violent predator or a sexually violent delinquent child by a query of the Internet website based on search criteria, including searches for any given zip code or geographic radius set by the user"; and

- allow a member of the public to receive electronic notification when a sexually violent offender, predator, or delinquent child provides information relating to a geographic area the user chooses. A member of the public must also be able to receive electronic notification when the sexually violent offender, predator, or delinquent child moves in or out of a specified geographic area.

Statutory sections 9799.26, 9799.27, and 9799.28 amended 2012. Regulation adopted 1995 and renumbered 2003.

[42 Pa. Stat. and Cons. Stat. Ann. §§ 9799.26, .27, .28 \(West 2016\); 37 Pa. Code § 56.4 \(2015\)](#)

Pennsylvania, Notification Triggers

Notice regarding a sexually violent predator's presence is provided to neighbors who live or work within 250 feet of the predator's residence, or who are the 25 residences and places of employment that are closest to the predator's residence, whichever is greater. If a sexually violent predator lives in a common interest community, the term "neighbor" includes the unit owners' association and the common interest community's residents.

Statutory section 9799.27 amended 2012. Regulation adopted 1997 and renumbered 2003.

[42 Pa. Stat. and Cons. Stat. Ann. § 9799.27 \(West 2016\); 37 Pa. Code § 55.4 \(2015\)](#)

Pennsylvania, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Pennsylvania statutes explicitly provide that nothing in subchapter H of chapter 97 (regarding registration of sexual offenders) "shall be construed as imposing a duty upon a person licensed under the . . . Real Estate Licensing and Registration Act, or an employee of the person, to disclose any information regarding an individual required to be included in the registry."

Statutory section enacted 2011.

[42 Pa. Stat. and Cons. Stat. Ann. § 9799.37 \(West 2016\)](#)

Pennsylvania, Registry Access

Certain information regarding sex offenders and predators must be available to the general public upon request. The information may be provided by electronic means.

The Pennsylvania State Police must develop and maintain a system for making information about individuals convicted of a sexually violent offense, sexually violent predators, and sexually violent delinquent children publicly available on the Internet. The Internet website must, among other things:

- "permit a member of the public to obtain relevant information for an individual convicted of a sexually violent offense, a sexually violent predator or a sexually violent delinquent child by a query of the Internet website based on search criteria including searches for any given zip code or geographic radius set by the user";
- allow a member of the public to receive electronic notification when a sexually violent offender, predator, or delinquent child provides information relating to a geographic area the user chooses. A member of the public must also be able to receive electronic notification when a sexually violent offender, predator, or delinquent child moves in or out of a specified geographic area.

Statutory sections 9799.27 and 9799.28 amended 2012.

[42 Pa. Stat. and Cons. Stat. Ann. §§ 9799.27, .28 \(2016\)](#)

Pennsylvania, Sex Offender Categories

Sexual offenses must be classified in the following three-tiered system:

- Tier I sexual offenses, which include certain offenses related to unlawful restraint, false imprisonment, interference with custody of children, institutional sexual assault, indecent assault, corruption of minors, invasion of privacy, video voyeurism, and misleading domain names on the Internet, among others (see § 9799.14(b) for an extensive list of Tier I offenses);
- Tier II sexual offenses, which include certain offenses related to statutory sexual assault, prostitution, obscene and other sexual materials and performances, forceful or fraudulent sex trafficking of children, sexual abuse of a minor or ward, selling or buying children, and the "production of sexually explicit depictions of a minor for importation into the United States," among others (see § 9799.14(c) for an extensive list of Tier II offenses); and
- Tier III sexual offenses, which include certain offenses related to kidnapping, rape, statutory sexual assault, "involuntary deviate sexual intercourse," aggravated indecent assault, incest, aggravated sexual abuse, and two or more Tier I or Tier II sexual offenses, among others (see § 9799.14(c) for an extensive list of Tier II offenses).

Offenders must register as follows:

- most Tier I offenders must register for 15 years;
- a Tier II offender must register for 25 years; and
- a Tier III offender must register for life.

Also, the board identifies sexually violent predators, for which different notification provisions and required times on the registry apply.

Statutory sections amended 2014.

[42 Pa. Stat. and Cons. Stat. Ann. §§ 9799.14, .15 \(West 2016\)](#)

Pennsylvania, Sex Offender Registry Location

The Pennsylvania State Police maintain the state registry of sex offenders. The state's public registry website is available at <http://www.pameganslaw.state.pa.us/>.

Statutory section amended 2012.

[42 Pa. Stat. and Cons. Stat. Ann. § 9799.32 \(West 2016\)](#)

Puerto Rico

Puerto Rico, Government's Disclosure Format

ACTIVE

No active notification provisions were located. However, note that the Criminal Justice Information System must publish the Registry in a newspaper of general circulation in Puerto Rico at least once a year.

Legislation enacted in 2015 provides that sex offender information will be provided to:

- persons, companies, or organizations that request it in writing; and
- individuals or private institutions for which the information is of interest because of the nature of the institution's activities.

These individuals and entities include, without limitation:

- the victim and his or her family;
- schools;
- institutions;
- child care facilities;
- recreational facilities; and
- institutions for abused women and children.

PASSIVE

The information contained in the registry is available to:

- law enforcement agencies;
- federal or state government agencies performing their duties; and
- any person who requests it in writing, including "private persons and institutions for which this information is of interest due to the nature of their activities, in view of the threat and danger posed to them by the persons who commit" any of the listed crimes. These persons must include, without limitation, victims and their families, schools, child-care centers or institutions, recreational facilities, and institutions for abused women or children.

The name of the victim may not be revealed.

The Registry must be available to the public on the Internet. The Criminal Justice Information System must also publish the Registry in a newspaper of general circulation in Puerto Rico at least once a year.

Statutory sections amended 2011; chapter 7 enacted 2015.

P.R. Laws tit. 4, §§ 536e, 536f (LexisNexis 2016); 2015 P.R. Laws ch. 7

[Puerto Rico, Notification Triggers](#)

No notification triggers exist because Puerto Rico law requires no active notification to the general public.

[Puerto Rico, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no Puerto Rico statutes specifically addressing whether a licensee must disclose the proximity of a sex offender. (Puerto Rico regulations are not readily accessible in English.)

[Puerto Rico, Registry Access](#)

The information contained in the Registry is available to any person who requests it in writing, including "private persons and institutions for which this information is of interest due to the nature of their activities, in view of the threat and danger posed to them by the persons who commit" any of the listed crimes. These persons must include, without limitation, victims and their families, schools, child-care centers or institutions, recreational facilities, and institutions for abused women or children.

The Registry must be available to the public on the Internet. The Criminal Justice Information System must also publish the Registry in a newspaper of general circulation in Puerto Rico at least once a year.

Statutory sections amended 2011.

P.R. Laws tit. 4, §§ 536e, 536f (LexisNexis 2016)

Puerto Rico, Sex Offender Categories

Puerto Rico categorizes sex offenders by tier as follows:

- a "Tier I Sex Offender" is a person convicted of a lesser sexual offense, such as false imprisonment if the victim was under the age of 18; aggravated false imprisonment if the victim was under the age of 16; certain child abuse offenses; aggravated domestic violence; sending, transporting, selling, distributing, publishing, or possessing obscene material; and other sexual offenses of a similar severity;
- a "Tier II Sex Offender" is a person convicted of moderately severe offenses, such as lewd or lascivious acts if the victim is a minor, pandering or human trafficking if the victim is a minor, offenses against child protection, producing child pornography, possessing or distributing child pornography, certain sexual assaults, and other similar sexual crimes; it also includes Tier I Sex Offenders who subsequently commit another sex offense; and
- a "Tier III Sex Offender" is a person who is convicted of the most severe sexual crimes, such as rape when the victim is under 16 years of age, kidnapping (by other than a parent) if the victim is under the age of 18, child abduction, spousal sexual assault, certain serious sexual assaults, among other similar crimes; it also includes Tier II Sex Offenders who subsequently commit another sex offense.

A sex offender must appear in person at Police Headquarters to update and verify the information contained in the Registry and to have his or her photograph, fingerprints, and palm prints taken on the following schedules:

- for a Tier I Sex Offender, each year for 15 years;
- for a Tier II Sex Offender, every six months for 25 years; and
- for a Tier III Sex Offender, every three months for life.

Dangerous sexual offenders must also register for life.

Statutory section 536d amended 2004; §§ 536 and 536c amended 2011.

P.R. Laws tit. 4, §§ 536, 536c, 536d (LexisNexis 2016)

Puerto Rico, Sex Offender Registry Location

The "Registry of Persons Convicted of Sex Offenses and Child Abuse" is located in the Criminal Justice Information System. The territory's public registry website is available at <http://sor.cjis.pr.gov/ConditionsOfUse.aspx>.

Statutory section amended 2011.

P.R. Laws tit. 4, § 536a (LexisNexis 2016)

Rhode Island

Rhode Island, Government's Disclosure Format

ACTIVE

General disclosure provisions

Information *may* be disclosed:

- to law enforcement agencies for law enforcement purposes;
- to government agencies conducting confidential background checks;
- by a law enforcement agency to protect individuals concerning a specific registrant; and

- to the community, as provided by regulation and described below.

The local police department *must* disclose information regarding level 2 or level 3 offenders to the general public in a city or town.

If a registrant is enrolled in or employed by or has a vocation at an institution of higher education, the local law enforcement agency *must* release relevant information:

- to certain campus police agencies; and
- to certain police for private institutions.

The primary law enforcement agency must distribute sex offender information to the law enforcement agencies in the cities or towns where the offender is likely to be encountered.

Level I offenders

For level I offenders, the law enforcement agency must deliver the offender fact sheet to:

- the offender's victims, if they have requested disclosure;
- the offender;
- any witnesses who have requested disclosure; and
- any other law enforcement agency where the sexual offender is likely to be encountered and other specified law enforcement agencies.

Level II offenders

For level II offenders in a residential facility:

- the agency must disclose information to all persons and entities to which Level I mandatory disclosure would be made; and
- upon notification that the offender's time at the facility is ending, the agency may make disclosures authorized for other level II offenders.

For level II offenders not placed in a treatment facility, the agency must disclose information to:

- all persons and entities to which level I mandatory disclosure must be made;
- parents included in the directory for schools in the community notification plan, and the principal or chief administrator of such schools, to be shared with school employees;
- the chief administrator of the public or private post-secondary educational institutions and the chief security officers, who may distribute the offender fact sheet among the school's employees and may provide access to or a copy of the offender fact sheet to every student;
- the parents included in the directory for those day care centers the law enforcement agency has included in its community notification plan, and the chief administrator of such day care, for the purpose of sharing the information with day care center employees;
- certain other day care providers that the offender is likely to encounter;

- all establishments and organizations the primarily serve individuals the offender is likely to encounter and that are included in the Level II community notification plan.

Level III offenders

For a level III offender in a residential facility, the agency:

- must disclose information to all persons and entities to which Level I mandatory disclosure must be made; and
- upon receiving notification that the offender's time at the facility is ending, may make disclosures required for other level III sex offenders.

For level III offenders not placed in a treatment facility, the agency:

- *must* disclose offender information to all persons and entities to which level I and II mandatory and additional disclosures would be made; and
- *should* disclose to any other community members the offender is likely to encounter. This notification should be made through "reasonable efforts to notify members of the community though appropriate use of public information resources, including, but not limited to, any two or all of the following": providing public access to hard copies of the offender fact sheet, news releases, fliers, local newspaper advertisements, computerized access to the information, or other distribution methods that are "effective and appropriate to the community." The agency must "consider and use as appropriate a variety of informational approaches, such as community educational meetings."

PASSIVE

As part of the level III notification procedures, an agency may provide the public with public access to hard copies of offender fact sheets at the agency and computerized access to the information, including on an Internet site.

The sex offender community notification unit must use the state police web site and the Rhode Island Unified Court System website for the public release of identifying information of level two and level three sex offenders who have been convicted, except no identifying information of a juvenile may be listed on the web site.

Statutory section 11-37.1-11 amended 2005; § 11-37.1-12 amended 2008. Regulatory guidelines amended 2015.

[R.I. Gen. Laws §§ 11-37.1-11, -12 \(2015\); R.I. Parole Bd., Sex Offender Community Notification Unit, Sexual Offender Community Notification Guidelines, §§ 5.0– 9.0 \(2015\)](#)

Rhode Island, Notification Triggers

Community notification is based on organizations or individuals that the offender is likely to encounter. The phrase, "likely to encounter," means the following:

- for community notification of level II offenders, organizations that are "in a location or in close proximity to a location where an offender lives or is employed, attends school or university, or which an offender visits or is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program" and the types of interaction that ordinarily occur at that location and other circumstances indicate "that contact with an offender is reasonably certain"; and
- for community notification of level III offenders, "individuals and organizations that are in a location or in close proximity to a location where an offender lives or is employed, attends school or university, or which an offender visits or is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program" and the types of interaction that ordinarily occur at that location and other circumstances indicate "that contact with an offender is reasonably certain."

In the case of school and day care center notification, parents who are in the school directory, but have not submitted a form requesting that their names and addresses be removed, must be notified.

Examples of establishments and organizations that may be part of the community notification plan include:

- youth sports teams;
- religious organizations;
- Boys and Girls Clubs, Girl Scouts, and Boy Scouts;
- volunteer and community organizations that have contact with children;
- malls and department stores;
- local merchant associations;
- sports and entertainment facilities;
- neighborhood crime watch groups in neighborhoods where the offender is likely to be encountered;
- public meeting facilities; and
- libraries.

In determining the establishments, organizations, and individuals who will be given the offender fact sheet, the agency may consider the offender's prior history, offense, likely victims, employment, and recreational, social, and religious interests.

Regulatory guidelines amended 2015.

[R.I. Parole Bd., Sex Offender Community Notification Unit, *Sexual Offender Community Notification Guidelines*, §§ 1.10, 7.2, 7.6 \(2015\)](#)

Rhode Island, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender. Section 5-20.8-6, which provides that psychological impacts are not material facts requiring disclosure, broadly defines "psychologically impacted" as not limited to the enumerated facts (which do not mention sex offender information). However, the statute clearly states that an agent or seller may not, under any circumstances, "make any misrepresentation of fact or false statement," so that a licensee most likely must answer truthfully if asked about sex offenders in the vicinity.

Statutory section amended 2003.

See [R.I. Gen. Laws § 5-20.8-6 \(2015\)](#)

Rhode Island, Registry Access

Generally, an offender's criminal history of convictions is not a public record, and no sex offender information may be released without the offender's written consent, except under certain enumerated circumstances. For level III offenders, the local law enforcement agency may notify individual members of the community, using a variety of methods, including fact sheets, fliers, news releases, advertisements, computerized access to fact sheet information, or public access to fact sheets at agency offices.

The sex offender community notification unit must use the state police web site and the Rhode Island Unified Court System website for the public release of identifying information of level two and level three sex offenders who have been convicted, except no identifying information of a juvenile may be listed on the web site.

Statutory section 11-37.1-11 amended 2005; §§ 11-37.1-6 and 11-37.1-12 amended 2008.

[R.I. Gen. Laws §§ 11-37.1-6\(4\), -11, -12 \(2015\)](#)

Rhode Island, Sex Offender Categories

The Rhode Island State Parole Board categorizes a sex offender into one of the following three notification levels:

- Level I, if the risk assessment indicates a low re-offense risk;
- Level II, if the risk assessment indicates a moderate re-offense risk; and
- Level III, if the risk assessment indicates a high re-offense risk.

Statutory section amended 2008. Regulatory guidelines amended 2014.

[R.I. Gen. Laws § 11-37.1-12 \(2015\); R.I. Parole Bd., Sex Offender Community Notification Unit, *Sexual Offender Community Notification Guidelines*, § 1.13 \(2015\)](#)

Rhode Island, Sex Offender Registry Location

The “designated state law enforcement agency,” which means the attorney general, maintains the state sex offender registry. The state's public registry is available at <http://www.paroleboard.ri.gov/sexoffender/agree.php>.

Statutory section 11-37.1-7 amended 2000; § 11-37.1-2 amended 2016.

[R.I. Gen. Laws § 11-37.1-2\(f\)](#) (as amended by [2016 R.I. Pub. Laws ch. 65](#) and [68](#)), [- 7 \(2015\)](#)

South Carolina

South Carolina, Government's Disclosure Format

ACTIVE

A sheriff may disseminate information on certain registrants if the sheriff or another law enforcement officer has reason to believe that releasing the information will “deter criminal activity or enhance public safety.”

The sheriff must also notify:

- the principals of area public and private schools;
- the administrators of child and family day care centers in the vicinity; and
- all local law enforcement agencies, including college or university law enforcement agencies, within the local law enforcement agency's jurisdiction.

Information regarding persons adjudicated delinquent in family court for certain serious offenses must be available upon request, to:

- the offender’s victims or witnesses;
- public or private schools;

- child day care centers;
- family day care centers; and
- businesses or organizations that primarily serve children, women, or vulnerable adults.

Registry information may be disseminated to law enforcement. The use of computerized or electronic transmission of data or other electronic means is permitted. Also, the sheriff must provide to a newspaper with general circulation within the county a listing of the registry for publication.

Each school district must provide at the beginning of each school year:

- the names and addresses of every sex offender who resides within 1000 feet of a school bus stop to the parents or guardians of a student who boards or disembarks a school bus at the stop; or
- the hyperlink to the sex offender registry web site on the school district's web site.

PASSIVE

Sex offender registry information is open to public inspection, upon written request to the county sheriff.

A member of the public may request:

- a list of registered sex offenders residing in a city, county, or zip code zone;

- a list of all registered sex offenders in the state; or
- information regarding a specific registrant, if the person requesting the information provides the name or address of the person about whom the information is sought.

The State Law Enforcement Division may charge a reasonable fee to cover the cost of copying and distributing sex offender registry lists, and may use computerized or electronic means to transmit data.

Statutory sections 23-3-450, 23-3-460, and 23-3-535 amended 2010; § 23-3-490 amended 2015.

[S.C. Code §§ 23-3-450, -460, -490, -535 \(2015\)](#)

South Carolina, Notification Triggers

A sheriff may disseminate information regarding persons who are required to register if the sheriff or another officer has reason to believe the release of the information will deter criminal activity or enhance public safety. South Carolina law does not elaborate further on that determination.

The sheriff must notify all public and private schools and child and family day care centers within one-half mile of any offender's address.

Statutory section amended 2015.

[S.C. Code § 23-3-490 \(2015\)](#)

South Carolina, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

A real estate brokerage and its affiliated licensees are immune from liability for any act or omission related to the disclosure of information under chapter 23-3 if they timely provide to their clients and

customers written notice that they may obtain information about the sex offender registry and its registrants by contacting the county sheriff. The licensees may include the notice as part of a listing agreement, buyer representation agreement, or sales agreement.

Statutory section added 2005.

[S.C. Code § 23-3-525 \(2015\)](#)

South Carolina, Registry Access

Local registry information is open to public inspection upon a request to the county sheriff. The State Law Enforcement Division also provides, upon written request, registry lists by zip code, county, or the entire state, provided the request is on the official form and, if information about a specific registrant is requested, includes the name or address of the person about whom information is sought.

Statutory section amended 2015.

[S.C. Code § 23-3-490 \(2015\)](#)

South Carolina, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized into groups according to the dangers they pose. However, South Carolina statutes provide different notification provisions for information regarding persons adjudicated delinquent in family court, depending on the severity of the offense.

Statutory section amended 2015.

See [S.C. Code § 23-3-490 \(2015\)](#)

South Carolina, Sex Offender Registry Location

The State Law Enforcement Division maintains the sex offender registry. The state's public registry website is available at http://www.communitynotification.com/cap_main.php?office=54575.

Statutory section amended 2005.

[S.C. Code § 23-3-410 \(2015\)](#)

South Dakota

South Dakota, Government's Disclosure Format

ACTIVE

No active disclosure provisions were located.

PASSIVE

The Division of Criminal Investigation must:

- make sex offender registrations available to state, county, and municipal law enforcement agencies on a twenty-four hour basis; and
- participate in the National Sex Offender Registry.

However, the following are public records, as provided in chapter 1-27:

- registration records collected by local law enforcement agencies;

- registration lists provided to local law enforcement by the Division of Criminal Investigation, and
- records collected by institutions pursuant to § 22-22-38 for persons required to register under §§ 22-22-30 to 22-22-39.

An offender's registration compliance status and registration information (except the offender's social security number, the victim's name, the offender's DNA sample, and local contact and next-of-kin information) are also public information, and the Division of Criminal Investigation must post and maintain on an internet site sex offender registration information, including:

- the offender's name, physical description, photograph and address;
- the type of sex crime;
- any previous convictions requiring registration;
- the dates of commission and conviction for any sex crime;
- any community safety zone restrictions;
- an offense description; and
- the offender's status as an inmate, parolee, or person who has completed "correctional placement."

The previously applicable statute that provided specific reporting requirements involving victims over the age of 18 years was repealed in 2014.

Statutory sections 22-24B-10 and 22-24B-11 amended 2006; § 22-24B-15 amended 2005; § 22-24B-21 amended 2011; previously applicable § 22-22-47 repealed 2014.

[S.D. Codified Laws §§ 22-22-47; 22-24B-10, -11, -15, -21 \(2015\)](#)

South Dakota, Notification Triggers

No notification triggers exist because South Dakota law requires no active notification to the general public.

South Dakota, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

A real estate licensee representing a seller or landlord has no “duty to investigate, volunteer, or disclose information regarding a registered sex offender residing on or near the property.” A licensee representing a buyer or tenant has no duty to investigate or volunteer information regarding a registered sex offender living on or near the property. However, if a buyer or tenant asks, his licensee must disclose any actual knowledge that he may have regarding a registered sex offender residing on or near the property.

Statutory sections enacted 2000.

[S.D. Codified Laws §§ 36-21A-134.1, -138.1 \(2015\)](#)

South Dakota, Registry Access

The Division of Criminal Investigation's sex offender registration file is available to law enforcement agencies on a twenty-four hour basis. An offender's registration compliance status and registration information (except the offender's social security number, the victim's name, the offender's DNA sample, and local contact and next-of-kin information) are public information, and the Division of Criminal Investigation must post and maintain on an internet site certain sex offender registration information.

Statutory section 22-24B-10 amended 2006; § 22-24B-15 amended 2005; § 22-24B-21 amended 2011.

[S.D. Codified Laws §§ 22-24B-10, -15, -21 \(2015\)](#)

South Dakota, Sex Offender Categories

The sex offender registry consists of three tiers. An offender must register as follows:

- a Tier III registrant must register for life;
- a Tier II registrant must register for at least 25 years; and
- a Tier I registrant must register for at least 10 years.

Statutory section enacted 2010.

[S.D. Codified Laws § 22-24B-2.1 \(2015\)](#)

South Dakota, Sex Offender Registry Location

The Division of Criminal Investigation maintains a file of all sex offender registrations. The state's public registry website is available at <http://sor.sd.gov/>.

Statutory sections amended 2006.

[S.D. Codified Laws §§ 22-24B-10, -11 \(2015\)](#)

Tennessee

Tennessee, Government's Disclosure Format

ACTIVE

No provisions requiring notification to the general public were located. However, the bureau must promptly report current sexual offender registration, verification, and tracking information to the F.B.I.

Registry information regarding registered offenders' email addresses or other Internet communication names or identities may be electronically transmitted to a business or organization that offers electronic communication or remote computing services "for the purpose of prescreening users or for comparison with information held by the requesting business or organization."

PASSIVE

Much of the information regarding an offender convicted of a sexual offense or a violent sexual offense that requires the offender to register is considered public information. The Tennessee Bureau of Investigation, in addition to making the information available in the same manner as other public records, must place the information on the state's Internet homepage. The Bureau must also establish and operate a toll-free telephone number, known as the "Tennessee Internet Criminal Information Center Hotline," to permit individuals to call and inquire as to whether a particular individual is registered.

Statutory section 40-39-206 amended 2014; § 40-39-203 amended 2015. Regulation effective 2002.

Tenn. Code Ann. §§ 40-39-203, -206 (LexisNexis 2016); [Tenn. Comp. R. & Regs. 1395-1-5-.06 \(2015\)](#)

Tennessee, Notification Triggers

No statewide notification triggers exist because Tennessee law requires no active notification to the general public.

However, a county, metropolitan government, or municipality may establish a community notification system pursuant to which certain residences, schools, and child-care facilities are notified when a person registered sexual offender or violent sexual offender resides, intends to reside, or declares to reside within a certain distance of the residences, schools, and child-care facilities.

The county, metropolitan government, or municipality may establish the following notification forms:

- notification by the sheriff's office or police department to residents, schools, and child-care facilities located within a specified number of feet from the offender's residence;
- a community notification flyer, delivered by regular mail or by hand, to all legal residences within the specified area;
- posting the notice in a prominent place at the sheriff's office and at the police station closest to the offender's declared residence;
- publicizing the notice in a local newspaper, or posting it electronically, including on the Internet;
- notifying homeowners associations within the immediate area of the offender's declared residence; or
- any other method "reasonably expected to provide notification."

The above provision does not prohibit the Tennessee bureau of investigation, a sheriff, or a chief of police from providing community notification electronically or by publication or periodically to persons whose legal residence is more than the applicable distance from the offender's residence.

Statutory section enacted 2014.

Tenn. Code Ann. § 40-39-217 (LexisNexis 2016)

[Tennessee, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no state statutes or regulations specifically addressing whether a real estate licensee must disclose the proximity of a sex offender. However, Tennessee statutes generally provide that a licensee must disclose adverse facts of which the licensee has actual knowledge, and limit the definition of "adverse facts" to conditions or occurrences that significantly reduce the structural integrity of improvements or present a significant health risk to occupants.

Statutory section enacted 1994.

See Tenn. Code Ann. § 66-5-206 (LexisNexis 2016)

[Tennessee, Registry Access](#)

The public offender information is available:

- in the same manner as other public records;
- on the state's Internet homepage; and
- by use of the toll-free telephone number known as the "Tennessee Internet Criminal Information Center Hotline."

Statutory section amended 2014. Regulation effective 2002.

Tenn. Code Ann. § 40-39-206 (LexisNexis 2016); [Tenn. Comp. R. & Regs. 1395-1-5-.06 \(2015\)](#)

Tennessee, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders are categorized according to the dangers they pose. However, certain sex offenders are identified as having committed violent sexual offenses.

An offender required to register must continue to register for life, if the offender:

- has one or more prior convictions for a sexual offense; or
- has been convicted of a violent sexual offense.

Tennessee identifies certain juvenile offenders as "violent juvenile sexual offenders," some of whom must register for life.

Statutory section 40-39-206 amended 2014; § 40-39-207 amended 2015.

See Tenn. Code Ann. §§ 40-39-206, -207 (LexisNexis 2016)

Tennessee, Sex Offender Registry Location

The Tennessee Bureau of Investigation maintains the centralized system of sexual offender registrations. The state's public registry website is available at <https://www.tn.gov/tbi/topic/sex-offender-registry-search>.

Statutory section 40-39-206 amended 2014; § 40-39-202 amended 2016. Regulation effective 2002.

Tenn. Code Ann. §§ 40-39-202 (as amended by [2016 Tenn. Pub. Acts chs. 316](#) and [941](#)), -206 (LexisNexis 2016); [Tenn. Comp. R. & Regs. 1395-1-5-.06 \(2015\)](#)

Texas

Texas, Government's Disclosure Format

ACTIVE

The government must make the following active disclosures:

- the local law enforcement authority must immediately notify by mail the superintendent of the public school district and the administrator of any private school located in the public school district in which the registrant intends to reside, and the superintendent must release the information to the appropriate school district personnel;
- if the registrant has a level three risk, the department must mail or deliver notice to local residents; and
- if the registrant is a sexually violent predator, the department must provide written notice to local residents.

The department must also send notice of any registrant who is or will be employed, conducting a vocation, or attending school at an institution of higher education to:

- for a Texas institution, the authority for campus security, or if none, the local law enforcement authority; or

- for an institution in another state, any existing authority for campus security at the institution.

If a registrant has a risk level of three, the local law enforcement authority may provide notice to the public in any manner determined appropriate, including:

- publishing notice in a newspaper in the area in which the person intends to reside;
- holding a neighborhood meeting;
- posting notices in the area in which the registrant intends to reside;
- distributing printed notices to local residents; or
- establishing a specialized local website.

PASSIVE

Certain information contained in the department's database is public information. The department posts on any department website, any available photograph, updated annually or as a new photograph becomes available.

A local law enforcement authority must release public information about an offender to any person who requests the information in writing and pays a reasonable fee.

Upon request, the department may provide an offender's public information and online identifiers to an Internet commercial social networking site.

Statutory section 62.056 amended and renumbered 2005; § 62.0061 enacted 2009; §§ 62.005 and 62.053 amended 2013.

[Tex. Crim. Proc. Code Ann. §§ 62.005, .053, .056, .0061 \(2015\)](#)

Texas, Notification Triggers

If the registrant has a level three risk level, the department must provide written notice to “at least each address, other than a post office box, within a one-mile radius, in an area that has not been subdivided, or a three-block area, in an area that has been subdivided, of the place where the person intends to reside.” If the registrant is a sexually violent predator, the department must provide written notice to “at least each address, other than a post office box, within a one-mile radius, in an area that has not been subdivided, or a three-block area, in an area that has been subdivided, of the place where the person intends to reside.”

Statutory sections amended and renumbered 2005.

[Tex. Crim. Proc. Code Ann. §§ 62.201, .056 \(2015\)](#)

Texas, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

A real estate licensee of an owner, builder, seller, or lessor of single-family residential real property in a residential real estate transaction has no duty to disclose to a prospective buyer or lessee information about sex offender registrants.

Statutory section amended 2005.

[Tex. Crim. Proc. Code Ann. § 62.056 \(2015\)](#)

Texas, Registry Access

A local law enforcement authority must release public information about an offender to any person who requests the information in writing and pays a reasonable fee.

The department also maintains a computerized central database containing only the information required for registration under this chapter. Certain information contained in the database is public information.

Statutory section amended 2013.

[Tex. Crim. Proc. Code Ann. § 62.005 \(2015\)](#)

Texas, Sex Offender Categories

Before a person is released from a penal institution, the Texas Department of Criminal Justice or the Texas Juvenile Justice Department must determine the person's risk to the community. Registrants are categorized as follows:

- level one, for a person who poses a low danger to the community and will not likely continue to engage in criminal sexual conduct;
- level two, for a person who poses a moderate danger to the community and may continue to engage in criminal sexual conduct; and
- level three, for a person who poses a serious danger to the community and will continue to engage in criminal sexual conduct.

Statutory section 62.006 renumbered and amended 2005; § 62.053 amended 2013; § 62.007 amended 2015.

[Tex. Crim. Proc. Code Ann. §§ 62.006, .007, .053 \(2015\)](#)

Texas, Sex Offender Registry Location

The Department of Public Safety maintains a computerized central database containing the information required for registration. The state's public registry website is available at <https://records.txdps.state.tx.us/SexOffender/PublicSite/Index.aspx>.

Statutory section 62.005 amended 2013; § 62.001 amended 2015.

[Tex. Crim. Proc. Code Ann. §§ 62.001, .005 \(2015\)](#)

Utah

Utah, Government's Disclosure Format

ACTIVE

The Department of Corrections must ensure that registration information regarding an offender's enrollment or employment at an educational institution is promptly made available to:

- if an institution of higher education, any law enforcement agency with jurisdiction over the area in which the institution is located; or
- if an institution of primary education, the district superintendent of the school district in which the offender is enrolled.

If the sex offender is a school employee, the chief administrative officer of the local law enforcement agency must immediately notify:

- the State Board of Education; and
- the superintendent of schools of an employing public school district or the administrator of a private school.

PASSIVE

The Department of Corrections maintains the "Sex Offender and Kidnap Offender Notification and Registration" website, which must include certain disclaimers required by statute.

The website must be indexed by surname and postal code and must include the following information:

- all of the offender's names and aliases, except online or Internet identifiers;
- the addresses of the offender's "primary, secondary, and temporary residences";
- a physical description of the offender;
- the make, model, color, year, and plate number of the vehicles the offender owns or regularly drives;
- a current photograph;
- a list of the offender's professional licenses;
- each "educational institution in Utah at which the offender is employed, carries on a vocation, or is a student";
- a list of places at which the offender works as a volunteer; and

- the relevant crimes that the offender has been convicted of or for which the offender has been adjudicated delinquent.

Statutory section 77-41-110 amended 2012; § 77-41-103 amended 2015; § 53-10-211 amended 2016.

[Utah Code Ann. §§ 53-10-211; 77-41-103, -110 \(2016\)](#)

Utah, Notification Triggers

No notification triggers exist because Utah law does not require active notification to the general public.

Utah, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations specifically addressing whether a real estate licensee must disclose the proximity of a sex offender.

Utah, Registry Access

Sex offender information is posted on the Internet, but the website requires that before a user accesses registry information, he must indicate that he has read the disclaimer, understands it, and agrees to comply with it.

If members of the public do not have access to the sex offender registry website, they may request sex offender registration information from the Department's Sex Offender Registration Unit. Requests may be in writing with a return address and telephone number. Members of the public may also request information by telephone.

Online or Internet identifier information is not available to the public.

Statutory section 77-41-110 amended 2012. Regulation amended 2003.

[Utah Code Ann. § 77-41-110 \(2016\); Utah Admin. Code r. 251-110-4 \(2015\)](#)

Utah, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized according to the dangers they pose.

Utah, Sex Offender Registry Location

The Department of Corrections maintains the "Sex Offender and Kidnap Offender Notification and Registration" website, and makes the information available to the public. The state's public registry website is available at http://www.communitynotification.com/cap_office_disclaimer.php?office=54438.

Statutory section 77-41-110 amended 2012; § 77-41-103 amended 2015.

[Utah Code Ann. § 77-41-103, -110 \(2016\)](#)

Vermont

Vermont, Government's Disclosure Format

ACTIVE

The Department of Public Safety, the Department of Corrections, and any authorized local law enforcement agency may, at their discretion, notify members of the public regarding any sex offender whose information must be posted on the Internet pursuant to § 5411a. The Department of Public Safety, the Department of Corrections, and any authorized local law enforcement agency also may notify members of the public at their discretion about a sex offender whose information is not required to be posted on the Internet, but only:

- under circumstances that "constitute a compelling risk to public safety"; and
- after consultation with the Vermont Crime Information Center and the Department of Corrections.

Vermont regulations clarify that "[a]ctive community notification by authorized law enforcement agencies is not required by law, regardless of an offender's status with regards to the public internet registry." However, if an offender is listed on the public internet registry, law enforcement agencies *may* notify the public through "targeted or broader community notification." Law enforcement agencies may also conduct broader community notification beyond persons who are likely to encounter a sex offender through outlets such as local media or town notification protocols.

PASSIVE

The Department of Public Safety, Department of Corrections, and any authorized local law enforcement agency must release information concerning a registrant if the requestor:

- can articulate a concern about the behavior of a specific person regarding the requestor's or another's safety; or
- has reason to believe that a specific person may be a registered sex offender and can articulate a concern regarding the requestor's or another's safety.

The victim's identity may not be released.

Upon request about a specific person, the Department of Public Safety, the Department of Corrections, and any authorized local law enforcement agency must release registry information regarding sex offenders whose information must be posted on the Internet pursuant to § 5411a.

The Department of Public Safety must electronically post certain sex offender registry information on the Internet for offenders who:

- have been convicted of specified crimes, including aggravated sexual assault of a child, aggravated sexual assault, sexual assault, kidnapping with intent to commit sexual assault, human trafficking, and lewd or lascivious conduct with a child, among other crimes listed in § 5411a(1);
- who have at least one prior conviction as a sex offender;
- have an outstanding warrant for failure to comply with sex offender registration requirements;
- have been designated as sexual predators;
- have not complied with sex offender treatment recommended by the Department of Corrections or are not eligible for sex offender treatment;
- have been designated as high-risk; or
- a person 18 years of age or older who resides in Vermont and is required to register as a sex offender in any jurisdiction, except as otherwise provided by § 5411a(7).

Information regarding a sex offender may not be posted electronically if the conduct is criminal only because of the victim's age, if the perpetrator is less than 18 years old and the victim is at least 12 years old.

In addition to certain delineated information (including whether the offender has been designated high-risk), the department may include an offender's digital photograph, but generally may not post an offender's street address or the victim's identity. However, the department must post the offender's address if the department has determined that the registry information is correct (effective as of the date certain audit conditions have been met) and if:

- the department has designated the offender as high-risk;
- the offender has not complied with sex offender treatment;
- there is an outstanding warrant for the offender's arrest;
- the offender was convicted of a sex offense against a child under 13 years of age; or
- the offender's name has been electronically posted for an offense committed in another jurisdiction that required the offender's address to be electronically posted.

Also, the department may not electronically post an offender's street address if the offender:

- has a developmental disability;
- receives funding from the department of disabilities, aging, and independent living for 24-hour supervision and treatment; and
- resides in a residence that is equipped with alarms.

The Department of Public Safety, the Department of Corrections, and any authorized local law enforcement agency may, at an authorized law enforcement officer's discretion, release an offender's current address if the requestor can "articulate a concern regarding the requestor's personal safety or the safety of another," and the requirements of § 5411(d) are met.

Statutory section 5410 enacted 1995; § 5411c added 2006; § 5402 amended 2009; § 5411 amended 2010; § 5411a amended 2016. Regulatory chapter amended 2014.

[Vt. Stat. tit. 13, §§ 5402, 5410, 5411, 5411a](#) (as amended by [2016 Vt. Acts & Resolves ch. 133](#)), [5411c \(2015\)](#); 28-050-002 Vt. Code R. § 9.4 (LexisNexis 2016)

Vermont, Notification Triggers

The Department of Public Safety, the Department of Corrections, and local law enforcement may notify members of the public at their discretion about any sex offender whose information is required to be posted on the Internet.

Statutory section added 2006.

See [Vt. Stat. tit. 13, § 5411c \(2015\)](#)

Vermont, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

Research located no state statutes or regulations addressing whether a real estate licensee must disclose the proximity of a sex offender.

Vermont, Registry Access

The Department of Public Safety must post electronically general information about the sex offender registry and how the public may access registry information. Electronically posted information is available only by searching the sex offender's name and county of residence.

Vermont regulations provide that the public may request information regarding a registered offender not listed on the Internet site from a law enforcement agency or the Vermont Crime Information Center in person, in writing, or by telephone. The requestor must provide the subject's name. Queries may not be by address, town, or county.

Statutory section 5411 amended 2010; § 5411a amended 2016. Regulatory chapter amended 2014.

[Vt. Stat. tit. 13, §§ 5411, 5411a \(2015\)](#) (as amended by [2016 Vt. Acts & Resolves ch. 133](#)); 28-050-002 Vt. Code R. §§ 4.3, 9, 9.2 (LexisNexis 2015)

Vermont, Sex Offender Categories

Research located no state statutes or regulations categorizing sex offenders into identified levels according to the dangers they pose. Effective July 1, 2015, the court determines at sentencing whether Sex Offender Registry requirements apply to the defendant.

However, the corrections department determines whether a sex offender is high-risk. A high-risk offender is subject to increased public access to his or her information, including Internet access. The Department of Corrections must also designate certain persons as noncompliant high-risk sex offenders, subject to additional reporting requirements.

State's attorneys may petition the court to designate those offenders who pose a greater risk to the public as sexually violent predators. A person who is determined to be a sexually violent predator is subject to:

- sex offender lifetime registration and community notification; and
- inclusion on the Internet sex offender registry.

Statutory section 5405 amended 2005; § 5411c enacted 2005; § 5411b amended 2009; § 5405a enacted 2015.

[Vt. Stat. tit. 13, §§ 5405\(b\), 5405a, 5411b, 5411c \(2015\)](#)

Vermont, Sex Offender Registry Location

The Department of Public Safety maintains the sex offender registry. The state's public registry website is available at <http://vcic.vermont.gov/sor>.

Statutory section 5402 amended 2009; § 5401 amended 2015.

[Vt. Stat. tit. 13, §§ 5401, 5402 \(2015\)](#)

Virgin Islands

Virgin Islands, Government's Disclosure Format

ACTIVE

The Attorney General and law enforcement must release to the public "relevant and necessary" information regarding a specific registrant when the release of the information is "necessary for public protection." However, nothing may be construed as preventing officers from notifying members of the public exposed to danger of any persons who pose a danger under circumstances that are not enumerated in chapter 86 of title 14.

The Attorney General must also notify the owner or operator of a child-care facility or a private, public, or parochial school whenever a registrant lives within a one-mile radius of the facility.

PASSIVE

Sex offender records are open to:

- any law enforcement agency for law enforcement purposes; and
- government agencies conducting confidential background checks.

The Attorney General must use and maintain a public sex offender registry website.

Statutory section amended 2012.

V.I. Code tit. 14, § 1727 (LexisNexis 2016)

Virgin Islands, Notification Triggers

The Attorney General must:

- release to the public "relevant and necessary" information regarding a specific registrant when the release of the information is "necessary for public protection"; and
- notify the owner or operator of a child-care facility or a public, private, or parochial school whenever a registrant lives within a one-mile radius of the facility.

Statutory section amended 2012.

V.I. Code Ann. tit. 14, § 1727 (LexisNexis 2016)

Virgin Islands, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

No specifically relevant provisions were located.

Virgin Islands, Registry Access

The Attorney General uses and maintains the public sex offender registry website.

Statutory section amended 2012.

V.I. Code Ann. tit. 14, § 1727 (LexisNexis 2016)

Virgin Islands, Sex Offender Categories

Virgin Islands statutes categorize sex offenses as follows:

- a "Tier 1" offense generally includes lesser offenses, such as the false imprisonment or video voyeurism of a minor, possession or receipt of child pornography, or any sex offense where punishment is limited to one year in jail;
- a "Tier 2" offense generally includes any sex offense that is not the person's first sex offense or that is punishable by more than one year in jail (unless categorized as Tier 3) and includes offenses such as the use of minors in prostitution, enticing a minor to engage in criminal sexual activity, the production or distribution of child pornography, aggravated rape in the second degree when the minor is 13 to 17 years of age, or sexual exploitation of children, among numerous other sexual crimes;
- a Tier 3 offense is a sex offense that is punishable by more than one year in jail if the offender has at least one prior conviction or an attempt or conspiracy to commit a Tier 2 sex offense or has previously become a Tier 2 sex offender; it includes crimes such as non-parental kidnapping of a minor, a sexual act with another by force or threat, a sexual act with another who has been rendered unconscious or involuntarily drugged, sexual contact with a minor 12 years of age or younger, and other serious sexual crimes.

Offenders must register as follows:

- Tier 1 offenders generally must register once every year for 15 years from the time of release;
- Tier 2 offenders generally must register once every 180 days for 25 years from the time of release; and
- Tier 3 offenders generally must register once every 90 days for the rest of their lives.

Statutory section 1721B enacted 2013; § 1724 amended 2012.

V.I. Code Ann. tit. 14, § 1721B, 1724 (LexisNexis 2016)

Virgin Islands, Sex Offender Registry Location

The Attorney General must use and maintain a public sex offender registry website. The territory's public registry website is available at <http://usvi.nsopw.gov/>.

Statutory section amended 2012.

V.I. Code Ann. tit. 14, § 1727 (LexisNexis 2016)

Virginia

Virginia, Government's Disclosure Format

ACTIVE

The following may request and, if qualified, receive from the State Police electronic notice of sex offender registrations:

- schools;
- day-care services;
- state-regulated or state-licensed child day centers, child day programs, children's residential facilities, family day homes, assisted-living facilities, or foster homes;
- nursing homes or certified nursing facilities;
- common interest community associations; and

- institutions of higher education.

If an entity cannot receive electronic notice, it may register to receive written notification.

Also, any person may request from the State Police and, upon compliance with its requirements, may receive electronic notice of the registration or reregistration of any sex offender. Within three business days, the State Police must electronically notify a person who:

- has requested such notification;
- has complied with its requirements; and
- is located in the same or a contiguous zip code area as the offender.

PASSIVE

Registry information is available, upon request, to criminal justice agencies for criminal justice purposes, to screen employees or volunteers, or to protect the “public in general and children in particular.”

A member of the public may obtain registry information regarding a specific individual upon request to the State Police or through a local law-enforcement agency.

Registry information on persons convicted of an offense for which registration is required is publicly available on the Internet. Upon request, the Department of State Police may transmit registry information regarding registered offenders' email address or any instant message, chat or other Internet communication name or identity information to a business or organization that offers electronic communication or remote computing services for the

purpose of prescreening users or for comparison with information held by the requesting business or organization.

Before January 1, 2016, the Superintendent of State Police must complete a "Supplement to the Registry" that contains specified information regarding persons who were convicted on or after July 1, 1980, but before July 1, 1994, of certain offenses that now require registration, but who are not on the Registry. Access to the supplement will be available to the public on the State Police website.

Statutory section 9.1-912 amended 2007; § 9.1-923 enacted 2015; §§ 9.1-913 and 9.1-914 amended 2016.

[Va. Code §§ 9.1-912, -913, -914, -923 \(2016\)](#)

Virginia, Notification Triggers

No general notification triggers exist because Virginia law does not provide for active notification to the general public. Any school, day-care service and child-minding service, state-regulated or state-licensed child day center, child day program, children's residential facility, family day home, assisted-living facility, foster home, nursing home, common interest community association, and institute of higher education may receive electronic or written notification if it:

- has requested notification;
- has complied with the requirements; and
- is located in the same or a contiguous zip code area as the offender.

Any person may request from the State Police and, upon compliance with its requirements, may receive electronic notice of the registration or reregistration

of any sex offender. Within three business days, the State Police must electronically notify a person who:

- has requested such notification;
- has complied with its requirements; and
- is located in the same or a contiguous zip code area as the offender.

Statutory section amended 2016.

[Va. Code § 9.1-914 \(2016\)](#)

Virginia, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

For real property subject to a real estate purchase contract that is fully executed on and after January 1, 2008, a residential real estate owner must give the purchaser a residential property disclosure statement that includes, among other things, that:

- the owner makes "no representations with respect to information" on any registered sexual offenders; and
- "purchasers are advised to exercise whatever due diligence they deem necessary with respect to such information in accordance with terms and conditions as may be contained in the real estate purchase contract," but in any event, before settlement.

Statutory section 55-519 amended 2016.

[Va. Code § 55-519 \(2016\)](#)

Virginia, Registry Access

Registry information is disseminated to any person requesting information on a specific individual upon request made directly to the State Police or through a local law-enforcement agency. The State Police generally charges a \$15 fee for responding to requests for registry information. The request must be on the official request form and must include:

- the reason for the request;
- the name and address of the person requesting the information;
- the registrant's name, address and social security number, if known; and
- any other information that the State Police need to ensure reliable identification.

Information on persons convicted of an offense for which registration is required is available to the public on the Internet.

Upon request, the Department of State Police may transmit registry information regarding registered offenders' email address or any instant message, chat or other Internet communication name or identity information to a business or organization that offers electronic communication or remote computing services for the purpose of prescreening users or for comparison with information held by the requesting business or organization.

Statutory section 9.1-912 amended 2007, § 9.1-913 amended 2016. Regulation amended 2007.

[Va. Code §§ 9.1-912, -913 \(2016\); 19 Va. Admin. Code § 30-170-50 \(2015\)](#)

Virginia, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized according to the dangers they pose.

Virginia, Sex Offender Registry Location

The State Police maintain the sex offender registry. The public registry website is available at <http://sex-offender.vsp.virginia.gov/sor/>.

Statutory section amended 2014.

[Va. Code Ann. § 9.1-903 \(2016\)](#)

Washington

Washington, Government's Disclosure Format

ACTIVE

For risk level I offenders, the agency:

- must share information with appropriate law enforcement agencies;
- may disclose, upon request, certain information to any victim or witness to the offense;
- may disclose, upon request, certain information to “any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found”; and
- effective July 24, 2015, may disclose certain information to any individual who requests information regarding a specific offender.

For risk level II offenders, the agency may also disclose information to:

- public and private schools;
- child day care centers;
- family day care providers;
- public libraries;
- businesses and organizations that serve primarily children, women, or vulnerable adults; and
- “neighbors and community groups near the residence where the offender resides, expects to reside or is regularly found.”

For risk level III offenders:

- the agency may also disclose information to the public at large; and
- the county sheriff with whom the offender is registered must, until July 24, 2015, publish by legal notice, advertising, or news release a sex offender community notification in at least one legal newspaper with general circulation in the area of the sex offender’s registered address. Effective July 24, 2015, the county sheriff with whom a Level III offender is registered must release a sex offender community notification that conforms to the guidelines set forth in Wash. Rev. Code § 4.24.5501.

The agency may disclose information to the public at large for any offender registered as homeless or transient.

The sheriff must notify the registrant's school's principal or institution's department of public safety and provide that department with the same information provided to a county sheriff. A principal receiving the notice must disclose the information as follows:

- if the registrant-student is classified as a risk level II or III, the principal must provide the information to every teacher of the registrant and to any other personnel who, in the principal's judgment, supervises the student or for security purposes should be aware of the student's record; and
- if the registrant-student is classified as a risk level I, the principal must provide the information received only to personnel who, in the principal's judgment, for security purposes should be aware of the student's record.

See the following for detailed provisions related to special circumstances:

- § 10.77.205 for provisions related to notification upon the release of a person who was found not guilty of a sex, violent, or felony harassment offense by reason of insanity;
- § 13.40.215 for provisions relating to notification of discharge, release or escape of a juvenile offender; and
- § 71.05.425 for provisions relating to notice regarding persons committed following the dismissal of a sex, violent or felony harassment offense.

At the earliest possible date and no later than 30 days before an offender is released from confinement, the department must notify the school board of the district in which the offender last attended school if the offender:

- is 21 years of age or younger at the time of release;

- has been convicted of a violent offense, a sex offense, or stalking; and
- last attended school in Washington.

A law enforcement agency must make a good faith effort to notify the public and residents within "a reasonable period of time" after the offender registers.

PASSIVE

Generally, public agencies may release information to the public regarding sex offenders if the agency determines that "disclosure of the information is relevant and necessary to protect the public and counteract the danger created by the particular offender."

Provided funding is available, the Washington association of sheriffs and police chiefs must maintain a statewide registered sex offender web site, which must be available to the public. The web site must post:

- all level II and level III registered sex offenders; and
- until July 24, 2015, all level I registered sex offenders during any time they are out of compliance with registration their registration requirements. Effective July 24, 2015, the web site must post all level I registered sex offenders only during any time they are out of compliance with registration their registration requirements or are lacking a fixed residence.

The amount and nature of the information provided on the web site varies according to the offender's risk level. For level III offenders, the web site must also provide mapping capabilities that display the sex offender's address by hundred block on a map. The web site must allow a person to search for registered sex offenders by county, city, zip code, last name, and address by hundred block. (As of July 22, 2011, the website no longer must be searchable by conviction type.)

Statutory section 72.09.730 enacted 2011; § 4.24.550 amended 2015.

[Wash. Rev. Code Ann. §§ 4.24.550; 72.09.730 \(2015\)](#)

Washington, Notification Triggers

Local law enforcement agencies may disclose, upon request, information:

- to any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found; and
- effective July 24, 2015, to any individual who requests information regarding a specific offender.

No provision defining "near" was located. Local law enforcement agencies have discretion in disclosing sex offender information to the public at large.

Also, public agencies are authorized to release information to the public regarding sex offenders and kidnapping offenders if "the agency determines that disclosure of the information is relevant and necessary to protect the public and counteract the danger created by the particular offender."

Statutory section amended 2015.

[Wash. Rev. Code Ann. § 4.24.550 \(2015\)](#)

Washington, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

The seller's notice regarding sex offenders required by § 64.06.020 does not create any legal duty on the seller or any real estate licensee to investigate or to provide the buyer with information regarding the actual presence of registered sex offenders in the area.

Statutory section enacted 2004.

[Wash. Rev. Code Ann. § 64.06.021 \(2015\)](#)

Washington, Registry Access

The Washington association of sheriffs and police chief's website of registered sex offenders is available to the public. Until July 24, 2015, if the state-wide site is not available, the association must create a web site available to the public that provides electronic links to county-operated web sites offering sex offender registration information to the public.

Statutory section amended 2015.

[Wash. Rev. Code Ann. § 4.24.550 \(2015\)](#)

Washington, Sex Offender Categories

Sex offenders are classified pursuant to their risk level into level I, II, or III offenders, and law enforcement agencies must disseminate information according to the offender's risk level.

Effective July 24, 2015, a sex offender must be classified as follows:

- level I, if he or she is at a low risk to sexually reoffend within the community at large;
- level II, if he or she is at a moderate risk to sexually reoffend within the community at large; and

- level III, if he or she is at a high risk to sexually reoffend within the community at large.

The length of time that an offender must register also depends on prior convictions. As of July 24, 2015, a sexually violent predator must register for the person's lifetime.

Statutory section amended 2015.

[Wash. Rev. Code Ann. §§ 4.24.550, 9A.44.140 \(2015\)](#)

Washington, Sex Offender Registry Location

When funded, the Washington association of sheriffs and police chiefs must implement and operate an electronic statewide unified sex offender notification and registration program. (Information submitted in order to receive notification regarding a registered sex offender is exempt from public inspection and copying.) The state's public registry website is available at <http://www.icrimewatch.net/washington.php>.

Statutory section 36.28A.040 amended 2010; § 4.24.550 amended 2015.

[Wash. Rev. Code Ann. §§ 4.24.550; 36.28A.040 \(2015\)](#)

West Virginia

West Virginia, Government's Disclosure Format

ACTIVE

The state police must distribute a copy of the notification statement to the FBI and to the following in the county or city in which the registrant lives, is employed or attends school:

- each county and municipal law-enforcement office;
- each campus police department;
- the county school superintendent;
- the child protective services office;
- all community organizations or religious organizations that regularly provide services to youths;
- individuals and organizations that provide day care services for youths or day care or other services for mentally or physically incapacitated persons; and
- the State Police in "the county of the offender's occupation, employment, owned or leased habitable real property and school or training."

The state police must also distribute a copy of the notification statement to the above entities and individuals located in the county in which the registrant "owns or leases habitable real property that he or she regularly visits."

If the person is a sexually violent predator, the state police must also notify the prosecuting attorney of the county in which the person lives, is employed or attends school, and the prosecuting attorney must cooperate with the state police in conducting a community notification program. The state police must also notify the prosecuting attorney of the county in which the person "owns or leases habitable real property that he or she regularly visits."

The prosecuting attorney and state police may also conduct a community notification program in the county in which a person required to register for life resides, is employed or attends school. They may also conduct a community notification program in the county in which the person "owns or leases habitable real property that he or she regularly visits."

PASSIVE

At least quarterly, the state police must make available to the public a list of all persons who are required to register for life. The list must be separated and disseminated by county of residence. The state police must release the list following a telephone or written request by a member of the public. The list must be for the county in which the requesting person resides.

A county resident may petition the circuit court for an order requiring the Registry to release information about persons residing in the county who are required to register.

The Registry must also maintain and make available to the public a list of all persons who are required to register for life. That list, which must be accessible through the Internet, must include the "municipality of place of employment, training or school and the street and house address (physical location) of the person's residence," but not the name of the employer, training, or school.

A resident may also petition the court for an order requiring the state police to release information about an offender who "owns or leases habitable real property that he or she regularly visits."

Statutory section amended 2012. Regulatory chapter amended 2014.

[W. Va. Code Ann. § 15-12-5 \(2016\); W. Va. Code R. §§ 81-14-10, -15 \(2015\)](#)

West Virginia, Notification Triggers

West Virginia statutes do not address specific notification triggers. However, generally, community notification and education meetings must occur within 15 business days from the date the responsible prosecuting attorney is notified that a sexually violent predator has moved to or intends to live in the county. Additional community notification programs may be conducted at the Prosecuting Attorney's discretion. The prosecuting attorney and State Police may conduct a community notification program in the county in which a person who is required to register for life resides, owns, or leases "habitable real property that he or she regularly visits, is employed or attends a school or training facility."

Statutory section amended 2012. Regulatory chapter amended 2014.

[W. Va. Code Ann. § 15-12-5 \(2016\); W. Va. Code R. § 81-14-18 \(2015\)](#)

[West Virginia, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

[West Virginia, Registry Access](#)

The information regarding offenders required to register for life must be public and accessible through the Internet. For other information, the court may grant a resident's petition for an order requiring the state police to release information about registered offenders if the court determines that:

- the information is relevant to public safety; and
- that relevance outweighs the importance of confidentiality.

Statutory sections amended 2012.

[W. Va. Code Ann. §§ 15-12-2; -5 \(2016\)](#)

[West Virginia, Sex Offender Categories](#)

Research located no state statutes or regulations explicitly providing that sex offenders are categorized according to the dangers they pose. However, circuit courts categorize certain offenders as sexually violent predators, and the disclosure laws are different for offenders who are required to register for life.

Statutory section amended 2000.

See [W. Va. Code Ann. § 15-12-2a \(2016\)](#)

West Virginia, Sex Offender Registry Location

The state police maintain the central registry of registered sex offenders. The state's public registry website is available at

<https://apps.wv.gov/StatePolice/SexOffender/Disclaimer?continueToUrl=http%3A%2F%2Fapps.wv.gov%2FStatePolice%2FSexOffender>.

Statutory section amended 2012.

[W. Va. Code Ann. § 15-12-2 \(2016\)](#)

Wisconsin

Wisconsin, Government's Disclosure Format

ACTIVE

The department of corrections must actively notify only the:

- police chief of any community and the sheriff of any county in which the person resides, is employed, or attends school, and "through or to which the person will be regularly traveling"; and
- victim or a member of the victim's family who has requested to be notified.

The police chief or sheriff may provide the information to which he or she has access to:

- an entity in the community or county that is entitled by statute to receive the information;
- any person requesting the information pursuant to statutory requirements; or
- the members of the general public if, in the police chief's or sheriff's opinion, providing the information is necessary to protect the public.

PASSIVE

Any of the following entities may request information from the department concerning registered sex offenders:

- an elementary, secondary, or tribal school;
- a licensed or certified child care provider;
- a licensed child welfare agency;
- a licensed group home;
- a licensed shelter care facility;

- a licensed foster home;
- a county department;
- a child welfare services agency;
- the justice department;
- the public instruction department;
- the health and family services department;
- the department of children and families;
- a neighborhood watch program;
- an organized unit of the Boy Scouts, the Boys' Clubs of America, the Girl Scouts or Camp Fire Girls;
- a sheltered workshop's personnel office; or
- any other community-based nonprofit organization that the department determines should have access to information in the interest of protecting the public.

The department or a police chief or sheriff may provide certain sex offender information concerning a specific person to a person who is not otherwise provided notice or access if providing the information "is necessary to protect the public" and if the person requesting the information:

- submits an information request, which may require the person to state his purpose for requesting the information;
- specifies the person about whom he is requesting information; and
- provides any other information the police chief or sheriff considers necessary.

The department provides access to the sex offender registry by creating and maintaining an Internet site. The department must provide on the Internet site a notice if the person is a sexually violent person and a current color photograph of the person, if available, among other identifying information.

Statutory section amended 2010.

[Wis. Stat. Ann. § 301.46 \(2016\)](#)

Wisconsin, Notification Triggers

No notification triggers exist because Wisconsin law does not require active notification to the general public.

Wisconsin, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures

If a real estate licensee receives a request from a person to whom the licensee is providing brokerage services for information regarding whether a particular person is required to register as a sex offender or any other information about the sex offender registry, the licensee must disclose any information he actually knows. However, the

licensee is immune from liability related to the disclosure of sex offender information if the licensee provides to the person requesting the information, a timely written notice that the person may obtain sex offender information by contacting the corrections department. The notice must include the department's telephone number and internet address.

Similarly, a landlord's agent has no duty to disclose to any person in connection with the rental of real property any information related to the fact that a particular person is required to register as a sex offender. However, if a person asks the landlord's agent for information regarding whether a particular person is required to register as a sex offender or any other information about the sex offender registry, the landlord's agent must disclose any information of which the agent has actual knowledge. The landlord's agent is immune from liability for any act or omission related to the disclosure of sex offender information.

Statutory section 704.50 enacted 1999; § 452.24 amended 2016.

[Wis. Stat. Ann. § 452.24 \(2016\)](#); *see also* [Wis. Stat. Ann. § 704.50 \(2015\)](#)

Wisconsin, Registry Access

The department, a police chief, or a sheriff may provide information concerning a specific registrant to a person who is not otherwise provided notice or access if providing the information is necessary to protect the public and if the person requesting the information follows all of the required steps. However, the department provides access to information concerning persons registered under § 301.45 by creating and maintaining an Internet site. The information provided on the Internet site is organized in a manner that allows the public to obtain the information that the department is required to provide by statute and other information necessary to protect the public.

Statutory section amended 2010.

[Wis. Stat. Ann. § 301.46 \(2016\)](#)

Wisconsin, Sex Offender Categories

Research located no state statutes or regulations providing that sex offenders must be categorized for notice purposes according to the dangers they pose. However, the department must provide a notice on the Internet site if the offender is a sexually violent person.

Also, child sex offenders must be categorized for global positioning system tracking purposes into level 1, level 2, and level 3 child sex offenders.

Statutory sections amended 2010.

[Wis. Stat. Ann. §§ 301.46, .48 \(2016\)](#)

Wisconsin, Sex Offender Registry Location

The corrections department maintains the sex offender registry. The state's public registry website is available at <http://offender.doc.state.wi.us/public/>.

Statutory section amended 2016. Regulation amended 2009.

[Wis. Stat. Ann. § 301.45 \(2016\)](#); [Wis. Admin. Code § 332.04 \(2015\)](#)

Wyoming

Wyoming, Government's Disclosure Format

ACTIVE

Adult Offenders

For adult offenders, the division must provide notification of registration to the district attorney of the county in which the registered offender is living. Also, if the offender was convicted of an offense specified in § 7-19-302(h) or (j) (involving certain crimes

against minors or repeat offenses), the division must notify by mail, personally, or by "any other means reasonably calculated to ensure delivery":

- residential neighbors "within at least seven hundred fifty (750) feet of the offender's residence"; and
- community organizations, including "schools, religious and youth organizations."

Notification regarding an offender employed by or attending school must be provided upon request to a member of the institution's campus community.

Section 7-19-106 provides that criminal justice agencies generally may disclose criminal history record information only to:

- other criminal justice agencies;
- any person designated as provided by § 14-6-227;
- certain specified governmental agencies, commissions, courts, departments, and boards;
- an individual for use in statistical research;
- any record subject;
- the F.B.I and the office of homeland security;

- the military department to obtain criminal history records for prospective employees or volunteers;
- the Wyoming retirement system;
- the Wyoming professional teaching standards board for background information on certification applications, and, if requested, school district boards for background information on employees who may have access to minors; and
- other specified governmental entities.

Juvenile Offenders

Effective July 1, 2016, for juvenile sex offenders, the division must provide notification of registration to the district attorney of the county where the registered offender is residing at the time of registration or to which the offender moves. The district attorney must file an application for hearing if a review of the risk of reoffense factors indicates that public safety requires that notification be provided to persons in addition to those authorized to receive criminal history record information under Wyo. Stat. § 7-19-106. Following notice to the offender and an in-camera hearing, the district or juvenile court must authorize the division, county sheriff, or police chief to release information regarding the offender as follows:

- if the risk of reoffense is low, notification must be in accordance with the requirements of § 7-19-106 to persons authorized to receive criminal history record information pursuant to that statute;
- if the risk of reoffense is moderate or high, notification must be provided to residential neighbors within 750 feet of the offender's residence, organizations in the community (including schools, religious and youth organizations), and to persons authorized to receive notification if the risk of reoffense is low. The notification must be through the means specified in the court's order.

PASSIVE

The division must make the public registry of high-risk offenders available to the public on the internet.

Statutory section 7-19-106 amended 2013; § 7-19-303 amended 2016; § 7-19-309 enacted 2016.

Wyo. Stat. Ann. §§ 7-19-106, -303(c), -309 (LexisNexis 2016)

Wyoming, Notification Triggers

For adult offenders, the division must provide notification of registration to the district attorney of the county where the registered offender is living, and, if the offender was convicted of an offense specified in § 7-19-302(h) or (j) (involving certain crimes against minors or repeat offenses), the division must notify by mail, personally, or by "any other means reasonably calculated to ensure delivery":

- residential neighbors "within at least seven hundred fifty (750) feet of the offender's residence"; and
- community organizations, including "schools, religious and youth organizations."

Effective July 1, 2016, for juvenile sex offenders with a risk of reoffense that is moderate or high, notification must be provided to:

- residential neighbors within 750 feet of the offender's residence;
- organizations in the community, including "schools, religious and youth organizations"; and

- persons authorized to receive notification if the risk of reoffense is low.

Statutory section 7-19-303 amended 2016; § 7-19-309 enacted 2016.

Wyo. Stat. Ann. §§ 7-19-303, -309 (LexisNexis 2016)

[Wyoming, Real Estate Licensee's Responsibilities Regarding Sex Offender Disclosures](#)

Research located no state statutes or regulations specifically addressing whether a licensee must disclose the proximity of a sex offender.

[Wyoming, Registry Access](#)

If the offender was convicted of an offense specified in § 7-19-302(h) or (j) (involving certain crimes against minors or repeat offenses), the division must notify certain residential neighbors and community organizations. The notification must also be provided to the public through a public registry, available on the Internet.

Statutory section amended 2016.

Wyo. Stat. Ann. § 7-19-303 (LexisNexis 2016)

[Wyoming, Sex Offender Categories](#)

The legislature explicitly directed the division to "facilitate access to the information on the public registry available through electronic internet technology without the need to consider or assess the specific risk of reoffense with respect to any individual" before inclusion in the registry.

Statutory section amended 2016.

Wyo. Stat. Ann. § 7-19-303(k) (LexisNexis 2016)

Wyoming, Sex Offender Registry Location

The Wyoming division of criminal investigation within the attorney general's office maintains the central offender registry. The state's public registry website is available at <http://wysors.dci.wyo.gov/sor/>.

Statutory sections amended 2016.

Wyo. Stat. Ann. §§ 7-19-303(a), -301(a)(vi) (LexisNexis 2016)